

FIRST INFORMATION REPORT

1806

First Information of a cognizable crime reported under section 154 Cr. P.C. at P. S.

1. District Alipurduar Sub-Divn Kumargram P.S. Year 2022 FIR No. 106/22 Date 17.03.22
2. i) Act Sections ii) Act Sections
 iii) Act Sections iv) Other Acts & Sections 18(b)/25/29 of NDPS Act
3. a) General Diary Reference Entry No. 587, dtd 17.03.22 Time 19:15 hrs
 b) Occurrence of Offence : Day Thursday Date 17.03.22 Time 13:15 hrs
 (c) Information of Offence : Day Thursday Date 17.03.22 Time 19:15 hrs
 G.D. No. 587, dtd 17.03.22 at the Police Station.
4. Type of information : Written / Oral Written
5. Place of Occurrence : (a) Direction and Distance from P.S. 26 km South-East from PS
 (b) Address Pakriguri Naha Choking Dist. Assam/Bengal Border.
Pakriguri, P.S. Kumargram, Dist. Alipurduar Beat No.
 (c) In case outside limit of this Police Station, then the name of
 P.S. District
6. Complaint / Information :
 (a) Name SI Nayan Das
 (b) Father's/Husband's Name
 (c) Date/Year of Birth
 (d) Nationality Indian
 (e) Address Barobigha OP Ward 2 Kumargram P.S. Dist. Alipurduar
7. Details of Know/suspected/unknown/accused with full particulars : (1) Biswajit (M/SO 22) S/O
Sitaram at Jasti (2) Thakara Ram (M)
25 yrs, S/O S/O name at Jasti, Bish
at P.S. Kulumbar, P.S. Tinsukia,
Dist. Birensa, Nagaland
Adh. S.
8. Reasons for delay in reporting by the Complainant/informant NO delay
9. Particulars of properties stolen/involved : (Attach separate sheets, if required)
(1) One Maruti Suzuki Swift 2D having reg. no. GJ13NN-5712
(2) 04 (Nine) packets of capitalised OPIUM packed with different
colours of polythene packed and wrapped by yellow tape total
weighing approx 08 kgs. (3) One DL of Suzuki having DL no.
RJ 39 2011 0005932
10. Total value of properties stolen/involved
11. Inquest report/U.D. Case No. if any N/A
12. FIR contents : (Attach separate sheets, if required) The original handwritten complaint which is
attached as FIR is attached herewith.
13. Action taken : Since the above report reveals commission of offence(s) u/s

registered the case and took up investigation/directed SI Sanad Chettri
 to take up the investigation/transferred
 to P.S. on point of Jurisdiction FIR read over to the Complainant/informant admitted
 to be correctly recorded and a copy given to the Complainant/informant free of cost.

Signature / Thumb Impression of
 the Complainant/informant

Signature of the Officer-in-Charge, Police Station
 Name AKIB HUSSAIN KHAN
 Rank SI of Police
 Number, if any Kumargram PS

To
The Inspector In-Charge
Kumargram P.S.
District-Alipurduar.



Sub: - FIR

Sir,

In producing herewith two accused persons namely 1) Dinesh (M/30 years), S/O-Sitaram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan, 2) Thakara Ram (M/25 years), S/O-Bhura Ram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan, under arrest along with one Maruti Suzuki Swift ZDI having registration no. GJ 13NN 5712 containing **09 packets of coagulated OPIUM PACKED WITH different colours of polythene packets and wrapped by cello-tapes, total weighing approx 08 Kgs** under seizure, I SI Nayan Das of Barobisha OP under Kumargram PS, District-Alipurduar do hereby lodged this written complaint as suo-moto to the effect that today on 17.03.22 at 13:45 hrs during routine NAKA checking duty at Pakriguri at Assam/Bengal border, detained the said Maruti Suzuki swift ZDI. Then myself and my accompanying officers and force viz ASI Karna Kumar Barman, ASI (AB) Dharendra Nath Roy, C/271 Rinku Mondal, C/762 Mithun Barman, C/571 Biswajit Ram, CVF/117 Jitmol Roy, CVF/146 Sanjit Barman, CVF/99 Badal Das, CVF/107 Bipul Barman, CVF/148 Sukumar Barman, CVF/112 Debasish Adhikary, CVF/09 Ashok Das, CVF/22 Chiranjit Das (vide Barobisha OP MCC No. 532/22 dated 17.03.22 and Barobisha OP GDE no- 664 Dated 17.03.22) started to check the Maruti Suzuki swift ZDI and its documents as usual. Suddenly the driver cum owner of the vehicle and the associates as above noted started to stammer and give incoherent statements. By their such attitude, suspicion aroused. I then started to search the apparently empty Maruti Suzuki swift thoroughly which was proceeding towards Alipurduar side from Assam side.

On further interrogation, they broke down and confessed that inside the hidden chamber beside the driver's seat a good quantity of OPIUM in 09 polythene packets are hidden for transporting the same to Barmer, Rajasthan side for their wrongful gain.

Then I immediately informed the development to Shri Basudev Sarkar, IC Kumargram PS over mobile phone and requested him to come to the spot as soon as possible to complete the procedure of search and seizure. There is every reason to believe that the suspected persons were carrying contraband articles. He instructed me to detain the Maruti Suzuki swift ZDI and the suspected persons on the spot and replied that he would be reaching very soon as suddenly in course of NAKA checking duty such information developed, so chance of getting any Executive Magistrate became very less. Shri Basudev Sarkar, Inspector-in-charge of Kumargram PS arrived at the spot at 15:25 hrs and disclosed his identity as a Gazetted Officer before the suspected persons and to witness and supervise the proceedings. Accordingly, I served a Notice u/s 50 of NDPS Act to the above noted accused persons about their willingness to be searched in presence of a Gazetted Officer but they gave no objection, however the same was duly acknowledged and signed by them. Arrangements were also made for Pen, Paper and electronic weight measuring machine etc. locally to facilitate search and seizure.

I narrated him the entire facts and circumstances and also requested him for facilitating the search and seizure of the above noted detained vehicle as well as the detainees namely 1) Dinesh (M/30 years), S/O-Sitaram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan, 2) Thakar Ram (M/25 years), S/O-Bhura Ram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan and that offending vehicle was suspected to contain coagulated OPIUM and search was required to be the done under the provision of NDPS Act. By this time two following local witnesses namely 1. **Swapan paul (M/24) S/o- Lt. Tarun Paul of Dakshin Pakriguri, Barobisha PS Kumargram, Dist Alipurduar** 2) **Jaydeb Saha (M/29 yrs) S/o- Lt. Ganesh Saha of Uttar Pakriguri Ps Kumargram, Dist Alipurduar**, came to the spot. They were also requested for witnessing the process of search.

Thereafter, Shri Basudev Sarkar, IC Kumargram PS gave option to the detainees to conduct search on us but they declined to do so. Accordingly, as per his direction we conducted search of the said Maruti Suzuki swift ZDI and recovered the following similar kinds of packets containing opium from behind the driver's seat having weights as noted below :-

- i) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT A,
- ii) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT B
- iii) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT C
- iv) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT D

- v) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT E
- vi) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT F
- vii) 01 (one) packets of coagulated OPIUM containing 1.0 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT G
- viii) 01 (one) packets of coagulated OPIUM containing 0.5 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT H
- ix) 01 (one) packets of coagulated OPIUM containing 0.5 Kg packed with polythene and wrapped by cello-tape, marked as EXHIBIT I

Total 09 packets of coagulated OPIUM packed with different colours polythene packets and wrapped by cello-tape are recovered. After measuring weight by electronic machine, total weight stood as 08.00 Kgs which are marked from Exhibit A-1 to A-9.

On demand the accused driver cum owner and the other associate of vehicle no- GJ 13NN 5712 as noted above failed to produce any valid document in respect of the vehicle except DL of the offending driver. They also failed to show any document on behalf of transporting the huge quantities of contraband psychotropic substance like coagulated OPIUM. Thereafter, total 09 packets of coagulated OPIUM approx 08.0 Kgs along with the vehicle bearing no- GJ 13NN 5712 without any document except D/L having no. RJ39 20140005932 in the name of the driver namely Dinesh (M/30 years), S/O-Sitaram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan were seized from the possession of the driver as mentioned above under proper seizure list in presence of available witnesses and Shri Basudeb Sarkar, IC Kumargram PS and duly signed by them as well as by the accused person. I also labeled the packets and marked the same from Exhibit A-1 to A-9 respectively and arrested the accused persons after maintaining all formalities. The entire procedure of search, seizure and labeling was conducted in between 16:05 hrs to 18:25 hrs. The accused persons were arrested after maintaining proper formalities in presence of witnesses informing them the ground of arrest and taken into custody. I also prepared an inventory list of equipments duly signed by the accd, persons as well.

On further interrogation the accused persons namely 1) Dinesh (M/30 years), S/O-Sitaram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan, 2) Thakar Ram (M/25 years), S/O-Bhura Ram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan confessed that the coagulated OPIUM was loaded from Guwahati, Assam and was being transported to Barmer, Rajasthan for its illegal disposal for making their huge wrongful gain. During interrogation, the accused persons confessed their guilt.

From the above noted facts, circumstances and from seizure of all those contraband and incriminating articles, there is reason to believe that the above noted accd. persons, one is the owner of the vehicle while the other is his associate, made a conspiracy for procuring, transporting and selling such huge quantities of contraband articles i.e. coagulated OPIUM illegally for their huge wrongful gain with their full knowledge.

Hence, I pray that a specific case u/s 18(b)/25/29 of NDPS Act may kindly be initiated against both the above noted accused persons namely 1) Dinesh (M/30 years), S/O-Sitaram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan, 2) Thakar Ram (M/25 years), S/O-Bhura Ram of Vill-Jasti, P.O-Korna, PS-Mandali, Dist-Barmer, Rajasthan and others for violating the provision of NDPS Act and arrange for its investigation.

Enclosed:

- 1) Memo of Arrest
- 2) Seizure List

Received on 17-03-22 at 19:45 hr
Vide GDE no. 587, dtd. 17-03-22 and
started Kumargram PS case no. 106/22 dtd. 17-03-22 u/s 18(b)/25/29 of NDPS Act.
 Yours Faithfully
 (SI Nayan Das)
 Barobisha OP/PS- Kumargram
 District-Alipurduar

Note: It is to be noted here that I lodged this FIR after returning to PS writing the FIR with the help of computer installed at PS.