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17.03.2021.
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**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM 262 of 2021

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 23.02.2021 in connection with Sitai Police Station Case No.26 of 2020 dated 01.02.2020 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Ainul Miah @ Rahinul Miah

... petitioner.

Mr. Sudip Guha

... for the petitioner.

Mr. Arun Kr. Sarkar,
Mr. Saikat Chatterjee

... for the State.

Having regard to the fact that 4000 Yaba tablets, which is above the commercial quantity, have been recovered from the possession of the petitioner and in view of the statutory presumption under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are of the opinion that the petitioner should not be granted bail at this stage.

It has been submitted by learned advocate appearing for the State that trial has commenced. Learned Trial Judge is requested to conclude the trial as expeditiously as possible.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)