

01.03.2022  
Court No.01  
Item No. 44  
Saswata  
(rejected)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI**

**CRM (NDPS) 54 of 2022  
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Dinhata Police Station Case No. 376 of 2021 dated 26.07.2021 under Sections 20(b)(ii)(C)/29 of the NDPS Act.

And

In Re: **Sahid Miah**

Petitioner

Mr. Arjun Chowdhury

For the Petitioner

Mr. Abhijit Sarkar  
Ms. Namrata Das

For the State

The petitioners are seeking bail in connection with Dinhata Police Station Case No. 376 of 2021 under Sections 20(b)(ii)(C)/29 of the NDPS Act.

The petitioner has been apprehended in connection with the aforementioned case having allegedly possessed the contraband (*ganja*) above the commercial quantity and in languishing in custody for more than 210 days. Charge sheet has already been submitted but charges have not been framed as yet.

Since, the commercial quantity of contraband (*ganja*) is allegedly recovered from the exclusive possession of the petitioner, we do not find any ground to take any exception to Section 37 of the NDPS Act.

In view of the embargo created under the aforesaid provision, the prayer for bail is *rejected*.

However, we request the Learned Judge of the Special Court to take up the matter and expedite the trial of the case so that it can be brought to its logical end as expeditiously as possible.

The application for bail being CRM (NDPS) 54 of 2022 is accordingly dismissed.

**(Harish Tandon, J)**

**(Rabindranath Samanta, J)**