

G.R. 540 of 2019
(CIS Reg. No.554/2022)

Dated-04.04.2023

Today the record is put up by petition.

Accused person Tapan Dawn is present on C.B. Hajira filed.

P.R. is received U/s.46A (c) of Bengal Excise Act against the accused person.

At this stage the accused person filed a petition praying for pleading his guilt.

As the accused person is present with Ld. Advocate as well as Ld. A.P.P. it is submitted that they are ready for framing of charge. Accordingly the record is taken up for framing of charge.

Perused the case record. Considered. This is the case U/s.46A(c) B.E. Act. The contents of the charge are read over and explained to the accused person to which he pleaded his guilt by saying "Ami Doshi", and prays mercy and leniency.

On being asked in open court the accused admits his guilt. He further submit that he will not commit this type of offence in future. I examined the accused person verbally to ascertain his voluntariness and it appears to me that the guilt has been accepted by the accused person voluntarily. No previous conviction is recorded.

Accordingly, the plea of guilt is accepted. The charge is framed against the accused person U/s.246 of Cr.P.C. is the prescribed form and the same is kept with the case record.

As there is no reported antecedents against the accused person and considering the special fact that 6.5 ltrs. ID liquor has been allegedly recovered from the possession of the accused person, I am inclined to take a lenient view. I have also considered the fact that the accused person has voluntarily pleaded his guilt. He should be given an opportunity to rectify himself.

Hence, it is,

Ordered,

that the accused person, namely, Tapan Dawn pleaded guilty U/s.246(3) Cr.P.C. is convicted for the offence punishable U/s 46A(c) of the Bengal Excise Act, 1909 and he is sentenced to undergo imprisonment till rising of the Court and also to pay a fine of Rs.350/-only, in default, the accused person will suffer simple imprisonment for a further period of two days. The imprisonment, if any, undergone by the Accused person be set off.

The seized alamats be destructed/confiscated to the State as per rules.

Let a copy of this order be sent to the O.C. Excise, Sadar Circle, Bankura for his information.

Note in Register.

D/C By Me

A.C.J.M., Khatra

A.C.J.M., Khatra
(J.O.Code WB01015)