

BEGR-29/2018, Regd No:-400/222

Order No:-14. Dt. 14.10.2022

Today is fixed for appearance.

The accused **Santosh Barman** files a petition praying for acceptance of plea of guilt.

Perused the materials on record.

Heard the Ld. Advocate for the accused as well as Ld.APP.

Considered.

Ld App raises no objection.

It is seen that there are materials under sections 18(1) of the B.E. Act, 1909 as amended up to date and thereby liable to be punished U/S 46A(C) of the said Act and accordingly, the record is taken up for examination of the accused under section 241 of Cr.PC .

The substance of accusation for the offence under section 18(1) of the B.E. Act, 1909 as amended up to date and thereby liable to be punished U/S 46A(C) of the said Act is read over and explained to accused and asked whether he pleads guilty or has any defence to make, to which he pleads guilty by saying "ami doshi"

As such, this court is inclined to accept the plea of guilt of the accused, having satisfied that he pleaded guilty after knowing its consequences and pass the sentence of conviction against the accused person under section 246(3) of Cr.PC. Lenient view is taken considering the long pendency of the case and the fact that accused has already undergone imprisonment for a considerable period of time.

Hence it is

Ordered

that the accused **Santosh Barman** is convicted under section 246(3) of Cr.P.C and sentenced to pay fine of Rs 300/- only for the offence punishable under section 18(1) of the B.E. Act, 1909 as amended up to date and thereby liable to be punished U/S 46A(C) of the said Act to suffer simple imprisonment for 2 days.

He is also admonished and cautioned in the open court.

Accordingly, the case is thus disposed of.

Let the seized alamats be disposed of after considering the period of limitation.

Let a copy of this order be sent to OC Bengal Excise, Boxirhat.

Typed, printed and corrected

ACJM, Tufanganj
Add. Chief Judicial Magistrate
Tufanganj

ACJM, Tufanganj
Add. Chief Judicial Magistrate
Tufanganj