

Case No. 58C of 2024

**Order dated 10-03-2026**

**(Order under Section 265B of Cr.P.C).**

**Today is fixed hearing upon the plea bargaining petition.**

The accused **Bipad Bhanjan Ruidas** is present by filing hazira alongwith his Ld. Advocate.

Ld. APP is present.

It appears that an application for plea bargaining had been submitted before the Court which is taken up for hearing.

Ld. Advocate for the accused submits that he has explained the fate of plea bargaining to the accused and after understanding the possible effects the accused has filed the application voluntarily.

The accused is examined under 265B(4) of Cr.P.C in separate sheet. Let the same be kept with the record.

I am satisfied that the application for plea bargaining has been filed by the accused voluntarily and also a report has been submitted on behalf of the Officer In-Charge of Excise, Bishnupur Circle, Bankura communicating to the Court that this accused was not previously convicted of same kind of offence by any Court of Law and they have no objection against the plea bargaining.

Accordingly, time is provided to the APP and also to the complainant and the accused and his Ld. Advocate to work out a mutually satisfactorily disposition of the case which may include giving to the victim by the accused the compensation and other expenses during the case and thereafter fix the date for hearing of the case.

**D/C by me**

**Sd/- T.C.Sherpa**

**ACJM, Bishnupur**

**Sd/- T.C.Sherpa**

**A.C.J.M., Bishnupur**

**J.O.Code-WB01106**

**Later Order dated 10-03-2026**

The accused person **Bipad Bhanjan Ruidas** along with his learned advocate is present by filing hazira.

The learned A.P.P. is present.

It also appears that the accused person filed an affidavit stating that he has voluntarily preferred the application for plea bargaining and that that he has understood the nature and extent of punishment provided under the law for the offence. He has further stated in his said affidavit that he has not previously been convicted by a court with the offence, with which he has been charged.

On the basis of the petition for plea bargaining his statement has been recorded in my chamber and necessary formalities has been complied with.

Heard both sides.

I find that the disposition worked out mutually by the parties is fair and just. Therefore, in terms of the mutually satisfactorily disposition worked out by the parties the matter be put up for judgment today itself.

**Judgment**

The accused was sent to face trial for offences under section 18(1)/20 of Bengal Excise Act, 1909 as amended up to date and punishable under Section **46A(c)** of the said act, having been found in possession of two plastic jerrycan containing ID liquor of 10 liters each. P.R has been received on 03-09-2024. During the course of trial the accused moved the application duly supported with the affidavit to under go the procedure of plea bargaining.

The accused was examined in the chamber, so as to verify the voluntary nature of his application and to make the accuse understand about the acquisition against him and the consequences of going through the procedure of plea bargaining. I was satisfied as to the fact that the application has been moved voluntarily. I.O has submitted a report that there is no previous conviction of the accused. Both parties were asked to prepare mutual satisfactory disposition and accordingly they submitted the mutually satisfactory disposition(MSD).

In view of the MSD and the statement made by the parties the accused is accordingly convicted for the aforesaid offence under Section 18(1)/20 of Bengal Excise Act, 1909.

Let he be heard on the point of sentence.

**Order on Sentence.**

I have heard the convict and the Ld. APP for the state on the point of sentence. The convict submits that he has family to maintain. He has shown repentance for his act. A lenient view is prayed. Under the facts and circumstances of the present case, since the accused is not previous convict for the same offence and considering the special fact that small quantum of liquor was seized from him and it is ordered that the accused shall be convicted of the offence punishable under Section 46 of B.E.Act and therefore has to undergo simple imprisonment for fourteen (14) days and to deposit a fine of Rs.5200/- in default to undergo simple imprisonment for further 6 days.

Also heard the accused on the point of punishment to which the accused and his Ld. Advocate raised no objection.

It further appears on perusal of the case record that the accused person was under custody for 14 days.

Hence, the said period of detention undergone by the accused be set off with the sentence of imprisonment.

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

Let a copy of this order be given to O/C Excise, Bishnupur Circle.

Copies of the judgment are given to the parties free of cost.

File be consigned to record room as per rule.

**Announced in open Court.**

**D/C by me**

**Sd/- T.C.Sherpa**

**ACJM, Bishnupur**

**Sd/- T.C.Sherpa**

**A.C.J.M., Bishnupur**

**J.O.Code-WB01106**

**Case No. 58C of 2024**

**State of West Bengal -Vs- Bipad Bhanjan Ruidas**

**U/S 46A(c) of B.E. Act 1909.**

**Examination of the accused Bipad Bhanjan Ruidas under Section 265B(4) of Cr.P.C.**

I know that I have been charged under Section 18(1)/20 of Bengal Excise Act, 1909 as amended up to date and punishable under Section **46A(c)** of the said act, having been found in possession of two plastic jerry cans containing 10 liters I.D liquor each. I understand the meaning of plea bargaining. I have moved the present application seeking plea bargaining without any coercion or pressure. I know that there can be a sentence of imprisonment up to three months. I know that I have to plead guilty for successful plea bargaining and judgment given in plea bargaining proceedings is final and no appeal lies. I am giving this statement voluntarily and want to enter into mutually satisfactory disposition. I am not a previous convict for the same offence.

***Dictated & Corrected by me***

***A.C.J.M., Bishnupur.***

***A.C.J.M., Bishnupur.***

***(Plea bargaining Judge)***

***10-03-2026***

Case No. 58C of 2024

**State of West Bengal -Vs- Bipad Bhanjan Ruidas**

**U/S 46A(c) of B.E. Act 1909.**

Statement of the accused Bipad Bhanjan Ruidas

**(Without oath)**

I voluntarily plead guilty to the offences under Section 18(1)/20 of Bengal Excise Act, 1909 as amended up to date and punishable under Section **46A(c)** of the said act. I understand that on basis of my plea of guilty, the Court may award sentence for the offence as per Law and that in case I commit default in compliance with the condition of the settlement, and/or undertaking given the Court may enforce the same by imposing sentence in default. I have agreed to the disposition voluntarily and without undue influence, fear or coercion from any corner.

***Dictated & Corrected by me***

***A.C.J.M., Bishnupur.***

***A.C.J.M., Bishnupur.***  
***(Plea bargaining Judge)***  
***10-03-2026***

Case No. 58C of 2024

**State of West Bengal -Vs- Bipad Bhanjan Ruidas**

**U/S 46A(c) of B.E. Act 1909.**

**Mutually satisfactory disposition arrived at by the parties to the Case.**

We-

- 1) **Bipad Bhanjan Ruidas** (accused),  
represented by his Ld. Advocate **Abhishek Dan**
- 2) State of West Bengal (complainant)  
represented by Ld. APP Sri Indranarayan Biswas,

we have worked out a mutually satisfactory disposition of the case which is as follows that we have no objection from either side if the accused is convicted of the offence and is ready to pay the amount of loss of revenue suffered by this State to the extent of Rs. 5200/-.

\_\_\_\_\_  
Signature of the Accused

\_\_\_\_\_  
Signature of the representative of the State

\_\_\_\_\_  
Signature of the Ld. Advocate for the accused.

\_\_\_\_\_  
Signature of the Ld. APP for the State.