

# **The Code of Criminal Procedure (Bihar Amendment) Act, 1976**

BIHAR

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## **The Code of Criminal Procedure (Bihar Amendment) Act, 1976**

### **Act 8 of 1977**

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The Code of Criminal Procedure (Bihar Amendment) Act, 1976 (Bihar Act 8 of 1977) Published in Bihar Gazette, Extraordinary, dated 10.1.1977, and received assent on the same date. An Act to amend the Code of Criminal Procedure, 1973 in its application to the State of Bihar. Be it enacted by the Legislature of the State of Bihar in the Twenty-seventh Year of the Republic of India as follows:

#### **1. Short title and commencement.**

(1) This Act may be called the Code of Criminal Procedure (Bihar Amendment) Act, 1976. (2) It shall come into force at once.

#### **2. Amendment of Section 11 of Act 2 of 1974.**

- After sub-section (3) of Section 11 of the Code of Criminal Procedure, 1973 (2 of 1974) (hereinafter referred to as the said Code) the following sub-section shall be inserted and shall be deemed always to have been inserted, namely:-(4) The State Government may likewise establish for any local area one or more courts of Judicial Magistrate of the First Class or Second Class to try any particular cases or particular class or categories of cases."

#### **3. Amendment of Section 13 of Act 2 of 1974.**

- In Section 13 of the said Code for the word "in any district" the words "in any local area" shall be substituted and shall be deemed to have been always substituted.

#### **4. Amendment of Section 15 of Act 2 of 1974.**

- After sub-section (2) of Section 15 of the said Code the following sub-section shall be substituted and shall be deemed always to have been substituted, namely:- "(3) Any Judicial Magistrate exercising powers over any local area extending beyond the district in which he holds his court shall be subordinate to the Chief Judicial Magistrate of the said district and reference in the Code to the Sessions Judge shall be deemed to be reference to the Sessions Judge of that district where he holds his court."

#### **5. Repeal and Savings.**

(1) The Code of Criminal Procedure (Bihar Amendment) Ordinance, 1976 (Bihar Ordinance No. 190 of 1976) is hereby repealed. (2) Notwithstanding such repeal anything done or any action taken in the exercise of any powers conferred by or under said Ordinance shall be deemed to have been done or taken in the exercise of powers conferred by or under this Act as if this Act were in force on the day on which such thing or action was done or taken.