

Code of Criminal Procedure (West Bengal Amendment) Act, 2004

WEST BENGAL

India

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Act 20 of 2004

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Code of Criminal Procedure (West Bengal Amendment) Act, 2004 West Bengal Act No. 20 of 2004, Vide notification No. 230-L., dated 18th February, 2005 and published in the Kolkata Gazette, Extraordinary, Part III, dated February 18, 2005.

041.

Passed by the West Bengal Legislature, Received the assent of the President of India and was first published in the Kolkata Gazette, Extraordinary, of the 18th February, 2005]An Act to amend the Code of Criminal Procedure, 1973, in its application to West BengalWhereas it is expedient to amend the Code of Criminal Procedure, 1973 (2 of 1974), in its application to West Bengal, for the purpose and in the manner hereinafter appearing;It is hereby enacted in the Fifty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows :-

1. Short title and commencement.

(1) This Act may be called the Code of Criminal Procedure (West Bengal Amendment) Act, 2004.(2)It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Application of the Act.

The Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act), shall, in its application to West Bengal, be amended for the purpose and in the manner hereinafter provided.

3. Amendment of section 167 of Act 2 of 1974.

In the proviso to sub-section(2)of section 167 of the principal Act, for clause (b), the following clause shall be substituted :"(b) no Magistrate shall authorise detention under this section-(i)in the police custody, unless the accused is produced before him in person every time till the accused is in police custody;(ii)in the judicial custody, unless the accused is produced before him either in person or through the medium of electronic video linkage;".By order of the Governor,Sd/- Md. Hesamuddin,Jt. Secy. to the Govt. of West BengalLaw Department.