

**Code Of Criminal Procedure (West Bengal Amendment) Act,  
1990**

**26 of 1990**

**[04 March 1991]**

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PREAMBLE

An Act to amend the Code of Criminal Procedure, 1973, in its application to West Bengal.

WHEREAS it is expedient to amend the Code of Criminal Procedure, 1973, in its application to West Bengal, for the purposes and in the manner hereinafter appearing;

It is hereby enacted as follows:-

NOTE

The Criminal Procedure Code, 1973 (West Bengal Amendment) Act, in its application to West Bengal, this Act has been enacted.

1. Assent of the President of India was first published in the Calcutta Gazette, Extraordinary, of the 4th March, 1991.

**1. Short title and commencement :-**

(1) This Act may be called the Code of Criminal Procedure (West Bengal Amendment) Act, 1990.

(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 purposes and in the manner hereinafter provided.

**3. Amendment of section 24 of Act 2 of 1974 :-**

In sub-section (6) of section 24 of the principal Act, for the words "shall appoint a Public Prosecutor or an Additional Public Prosecutor only", the words "may also appoint a Public Prosecutor or an Additional Public Prosecutor" shall be substituted.

**4. Amendment of section 301 :-**

For sub-section (1) of section 301 of the principal Act, the following sub-section shall be substituted:-

"(1) (a) The Public Prosecutor in charge of a case may appear and plead without any written authority before any Court in which that case is under inquiry, trial or appeal.

(b) The Assistant Public Prosecutor in charge of a case may appear and plead without any written authority before any Court in which that case is under inquiry or trial."