

Bihar Executive Magistrates (Temporary Powers) Act, 1976

13 of 1976

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PREAMBLE

An Act to provide temporary powers to Executive Magistrates in 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. Published in Bihar Gazette, (Ex. Ord.) dated 20.7.1976.

1. Short title, extent and commencement :-

- (i) This Act may be called the Bihar Executive Magistrates (Temporary Powers) Act, 1976.
- (ii) It extends to the whole of State of Bihar.
- (iii) It shall be deemed to have come into force from the 26th March, 1976 and shall remain in force for a period of one year thereafter.

2. Provision of temporary powers to Executive Magistrates :-

Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1973 (Act 2 of 1974):-

- (i) the Executive Magistrates may, in addition to the Judicial Magistrates, also exercise powers of remand under Section 167 of the said Code;
- (ii) the Executive Magistrates may also take cognizance of any class or category of offences punishable with fine and/or imprisonment up to three months and may try and dispose of cases relating to

such offences.

3. Repeal and Savings :-

(1) The Bihar Executive Magistrates (Temporary Powers) Act, 1975 (Bihar Act, 23 of 1975) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Act, shall be deemed to have been done or taken in exercise of the 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.