

Bengal Excise Act, 1909

Section 52 - Penalty for possession of intoxicant in respect of which an offence has been committed If any person, without lawful

section 25, any woman or other person in contravention of that section ; or (b) sells any 9292. Word, figures and letter ins. by W. B. Act 12 of 1979. [intoxicant] to a person who is drunk or intoxicated ; or (c) sells or delivers any spirit or intoxicating drug to any 9393. Words, subs. by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950. [person] apparently under the age of 9494. Word, figures and letter ins. by W. B. Act 12 of 1979. [twenty-one years] whether for consumption by such 9393. Words, subs. by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950. [person] or by any other person, and whether for consumption on or off the premises of such vendor ; or (d) permits drunkenness, intoxication, disorderly conduct or gaming on the premises of such vendor ; or (e) permits any person whom he knows, or has reason to believe, to have been convicted of any non-bailable offence, or who are reputed prostitutes, to meet, or any such person to remain, on the premises of such vendor, whether for the purposes of crime or prostitution or not, he shall be liable to 9595. Words and figures subs. for the words and figures "section 191 of the Code of Criminal Procedure, 1898," by W.B. Act 38 of 1983, w.e.f. 1.4.74.96. Words subs. by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950. [imprisonment for a term which may extend to six months or to fine which may extend to two thousand rupees or to both.] (2) When any licensed vendor, or any person in his employ and acting on his behalf, is charged with permitting drunkenness or intoxication on the premises of such vendor, and it is proved that any person was drunk or intoxicated on such premises, it shall lie on the person charged to prove that the vendor and the persons employed by him took all reasonable steps for preventing drunkenness or intoxication on such premises. Section 52 Penalty for possession of intoxicant in respect of which an offence has been committed If any person, without lawful authority, has in his possession any quantity of any 9292. Word, figures and letter ins. by W. B. Act 12 of 1979. [intoxicant], knowing the same to have been unlawfully imported, transported or manufactured, or knowing that the prescribed duty has not been paid thereon, he shall be liable to imprisonment for a term which may extend to 9696. Words "one year and shall also be liable to fine which may extend to two thousand rupees" first subs, for the words "six months, or to fine which may extend to one thousand rupees, or to both" by W.B. Act 34 of 1965, then the words' within third brackets subs. for the words "one year and shall also be liable to fine which may extend to two thousand rupees" by W.B. Act 38 of 1983. [two years and to fine.]