

Bengal Excise Act, 1909

Section 76 - Production of articles seized and persons arrested

section 82 to try the case may issue a warrant under. this Act for the arrest of any person, and may, at his discretion direct,] by endorsement on the warrant 6666. Words, figures, letters and brackets "except when such person is arrested for committing an offence under section 46A or clause (a) of section 48" first ins. by W.B. Act 12 of 1979, then the words, figures, letters and brackets "clause (ii) of section 46A" subs. for word, figures and letter "section 46A" by W.B. Act 38 of 1983. then the words figures and letter within first brackets subs. for the words, figures, letters and brackets "under clause (i) of section 46A or clause (a) of section 48" by W. B. Act 5 of 1997. [except when such person is arrested for committing an offence (under section 46A or section 48) that, if such person executes a bond with sufficient sureties for his attendance, before the Collector or before an Excise Officer empowered under section 73, sub-section (2), to investigate the case, at a specified time and thereafter until otherwise directed by the Collector or an Excise Officer empowered as aforesaid, the officer to whom the warrant is directed shall 6767. Words subs. for the words "take such security, and shall release such person from custody" by W. B. Act 34 of 1965. [release such person from custody if such bond is executed by him.) (2) The endorsement shall state (a) the number of sureties, (b) the amount in which they, and the person for whose arrest the warrant is issued, are respectively to be bound, and (c) the time at which such person is to attend as aforesaid. (3) Whenever security is taken under this section, the officer to whom the warrant is directed shall forward the bond to the Collector or to an Excise Officer empowered as aforesaid. 6868. Sub-section (4) om. by W. B. Act 34 of 1965. Sub-section (4) was as under : "(4) Whenever any person is arrested under this Act, otherwise than under a warrant, and is prepared to give bail, he shall be released on bail, or, at the discretion of the Officer releasing him, on his own bond.". (4) * * * * * (5) Any Excise Officer not below such rank as the 6969. Words subs. by the Government of India (Adaptation of Indian Laws) Order, 1937, and the Adaptation of Laws Order. 1950. [State Government] may, by notification, prescribe, may release persons on bail or on their own bond 7070. Words, figures and letter within third brackets ins. by W. B. Act 12 of 1979. [except when such person is arrested for committing an offence "{punishable 72 (under section 46A or section 48)}"]. (6) Bonds taken under this section from persons arrested otherwise than under warrant shall bind such persons to appear before the Collector or an Excise Officer empowered under section 73, sub-section (2) to investigate the case. 7373. Sub-section (6a) ins. by W. B. Act 34 of 1965. (6a) A bond taken under this section shall, for the purposes of sub-section (7), be deemed to be a bond under 7474. Words and figures subs. for the words and figures "the Code of Criminal Procedures, 1898," by W. B. Act 38 of 1983. [the Code of Criminal Procedure, 1973.) (7) The provisions of 7575. Figures and letters ", 514A, 514B" first ins. by W. B. Act 34 of 1965, then the words and figures subs. for the words and figures "sections 498 to 502, 513, 514, 514A, 514B and 515 of the Code of Criminal Procedure, 1898," by W. B. Act 38 of 1983. [sections 439 to 449 of the Code of Criminal Procedure, 1973,] shall apply, so far as may be, in every case in which bail is accepted or a bond taken under this section. 1) Articles seized under 7676. Words subs. for the words "the warrant of the Collector," by W. B. Act 34 of 1965. [a warrant issued under this Act] and, unless security for their appearance before the Collector 7777. Words, figures and brackets ins. by W. B. Act 34 of 1965. [or an Excise Officer empowered under