

Total No. of printed pages = 7

TR/TSJ/L-II/19



LAW

Paper : II

Full Marks – 100

Time – Three hours

The figures in the margin indicate full marks for the questions.

Answer must be written in English only. Candidates are required to give their answers in their own words as far as practicable.

GROUP – A

Four options are given against each of the following ten (10) questions. Select the single best / correct option and write it in the answer script by pen only. Each question carries one mark. $1 \times 10 = 10$

1. (i) What is the age of the child to get immunity from criminal liability ?
 - (a) Less than 10 years
 - (b) Less than 7 years
 - (c) Less than 8 years
 - (d) Less than 14 years

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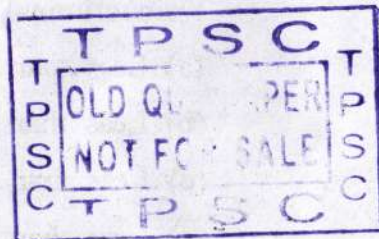
- (ii) 'X' with the intention to kill 'Y' supplies him powdered sugar believing it to be poison. 'Y' eats the powder. 'X' is guilty of
- (a) no offence
 - (b) attempt to commit murder
 - (c) attempt to commit culpable homicide not amounting to murder.
 - (d) abetment to commit murder.

- (iii) Under Indian Penal Code, which one of the following Sections makes provision of Solitary Confinement ?

- (a) Section 71 (b) Section 72
(c) Section 73 (d) Section 75

- (iv) 'A' enters Z's house through a window. 'A' commits

- (a) Trespass
(b) House trespass
(c) House breaking
(d) No offence



- (v) Which of the following Courts can try summarily offences mentioned in Section 260 of Criminal Procedure Code ?
- (a) Any Chief judicial Magistrate
 - (b) Any Metropolitan Magistrate
 - (c) Any Magistrate of the first class specially empowered by the High Court in this behalf
 - (d) All of the above.

- (vi) Which section of the Criminal Procedure Code provides for confirmation by the High Court of an order of death sentence passed by the Sessions Court prior to its execution ?

- (a) Section 366 (b) Section 368
(c) Section 369 (d) Section 371

- (vii) Who amongst the following is not entitled for maintenance under section 125 of the Code of Criminal Procedure ?

- (a) Illegitimate minor child
- (b) Uterine brother
- (c) Father
- (d) Divorced wife.



(viii) Which one of the following is primary evidence ?

- (a) Copies made from the original
- (b) Documents produced for the inspection of the court
- (c) Certified copies of a document
- (d) All of the above.

(ix) A confession is admissible if it is made by the accused to

- (a) a police officer
- (b) a doctor whilst he is in the custody of a police officer
- (c) his friend whilst he is in the custody of a police officer
- (d) a spiritual adviser under the inducement for the good of his soul.

(x) A barrel of wheat fell down from the window of a building occupied by 'X'. 'Y' a passerby was injured. 'X' is liable for

- (a) Negligence (b) Nuisance
- (c) Battery (d) None of these

GROUP – B

Answer any *ten* questions.

Each question carries 5 (five) marks. 5×10=50

2. When is consent immaterial for commission of offence under IPC ?
3. Define and illustrate an unlawful assembly.
4. Explain the difference between 'criminal breach of trust' and 'criminal misappropriation of property'.
5. State the rules for framing joinder of charges in a criminal trial.
6. Explain the provisions of Cr.P.C regarding bail of an arrested person relating to non-bailable offence.
7. Under what circumstances a wife forfeits her claim to maintenance ?
8. Discuss in brief the cases where opinion of third persons are relevant.
9. Explain and illustrate privileged communication.

10. State the facts of which court shall take judicial notice.

11. What defences may be taken by a defendant in a suit for false imprisonment ?

12. When is contributory negligence treated as a defence for negligence ?

13. Explain the meaning of the maxim 'ubi jus ibi remedium'.

GROUP - C

Answer any five questions.

Each question carries 8 marks.

8×5=40

14. Explain the Constitutional validity of section 309 (attempt to commit suicide) IPC in the light of the judgement of the Supreme Court.

15. Distinguish between section 34 and 149 of IPC with suitable illustrations.

16. How are charges constituted ? Explain the contents of charge under Cr.P.C.

17. Explain the procedure for summary trials.

18. 'Witnesses may lie but circumstances can not.' Discuss the statement highlighting the importance of circumstantial evidence.

19. Explain the conditions of application of the maxim 'res ipsa loquitur'? How does it affect the burden of proof in cases of negligence ?

