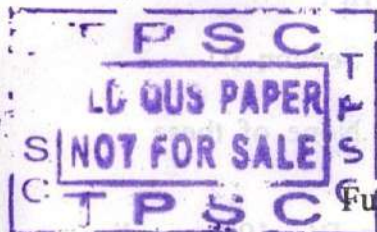


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Total No. of printed pages = 6

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LAW

Paper : II

Full Marks - 100

Time - Three hours

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

Answers must be written in English only.

Candidates are required to give their answers in their own words as far as practicable.

GROUP - A

All questions of GROUP-A are compulsory.

Four options are given against each of the following ten questions. Select the single best/correct option and write it in the answer script by pen only.

• Each question carries 1 (one) mark. $1 \times 10 = 10$

1. (i) Which one of the following is an incomplete crime ?

- | | |
|---------------------|----------------------|
| (a) Public Nuisance | (b) Criminal Attempt |
| (c) Riot | (d) None of these |

[Turn over

(ii) Which Section of the Cr. P.C. 1973, resembles with Habeas Corpus Writ ?

- (a) Section 91 (b) Section 97
(c) Section 93 (d) None of these

(iii) Which Section of the Cr. P.C. 1973, applies when the Officer-in-charge of a police station receives information that a person has committed suicide ?

- (a) Section 174 (b) Section 154
(c) Section 181 (d) None of these

(iv) Which one of the following sections of Indian Evidence Act, 1872 has been substituted for the old section by the Information Technology Act, 2000 ?

- (a) Section 39 (b) Section 47
(c) Section 65 (d) None of these

(v) Tort implies a twisted or tortious

- (a) Consent (b) Volition
(c) Conduct (d) None of these

(vi) Right of private defense of property extends to causing death has been mentioned under which sections of IPC ?

- (a) Section 103
(b) Section 101
(c) Section 100
(d) None of the above

(vii) Which section of the Indian Evidence Act, 1872 was amended by the Criminal Law (Amendment) Act, 2005 ?

- (a) Section 154
(b) Section 118
(c) Section 90(A)
(d) None of these

(viii) Which section of IPC has been declared unconstitutional and violative of Article 14 and 21 of the Constitution of India ?

- (a) Section 314
(b) Section 301
(c) Section 303
(d) None of these

(ix) For the purposes of Code of Criminal Procedure, 1973 the language of each Court within State other than High Court shall be determined by

- (a) The High Court
- (b) The Supreme Court of India
- (c) The State Government
- (d) The Central Government

(x) Causing of the death of the Child in the mother's womb is not homicide as provided under

- (a) explanation I to section 299
- (b) explanation II to section 299
- (c) explanation III to section 299
- (d) explanation IV to section 300

GROUP-B

Answer any 10 (ten) questions.

- Each question carries 5 (five) marks. $5 \times 10 = 50$
- 2. Differentiate between Section 149 and Section 34 of the Indian Penal Code, 1860.
- 3. Describe the facts that need not be proved with the help of relevant provisions of Indian Evidence Act, 1872.

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(4)

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- 4. Distinguish between 'facts in issue' and 'relevant facts' with the help of relevant provisions of Indian Evidence Act, 1872.
- 5. Explain the differences between "Complaint" and "First information report".
- 6. Discuss "Joinder of charges" under the Code of Criminal Procedure.
- 7. Explain the doctrine of 'Volenti non fit injuria' and discuss the limitations on the application of doctrine.
- 8. Define and discuss criminal conspiracy.
- 9. Define abduction and point out the differences between 'kidnapping' and 'abduction'.
- 10. What are the essential ingredients to bring a charge u/s 304B I.P.C ?
- 11. Make a distinction between summon case and warrant case.
- 12. Discuss the principle of judicial immunity as defence with reference to tort.
- 13. Explain the maxim 'damnum sine injuria'.

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(5)

[Turn over

GROUP-C

Answer any *five* questions.

- Each question carries 8 (*eight*) marks. $8 \times 5 = 40$
- 14. Distinguish between Dismissal of a complaint, Discharge and Acquittal. What remedies are available in each of these cases ?
- 15. Explain the concept of 'Privileged Communications' under Indian Evidence Act, 1872.
- 16. "The phrase Res gestae is well established in law of evidence" — Discuss.
- 17. Transformation of Strict Liability into Absolute Liability is new dimension of Indian jurisprudence. — Discuss with reference to landmark judgements.
- 18. Critically examine the distinction between murder and culpable homicide not amounting to murder with example.
- 19. Explain the criminal liability of crime committed by child below seven years and above seven years and below twelve years of age.

