

2017
(Nov - Dec)
BACHELOR OF LAW
(Law of Evidence)
Paper - 27
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1*
which is compulsory.

1. Write short notes on *any four* of the following: **5x4=20**
 - (a) Adverse Possession
 - (b) Legal Disability
 - (c) Stages of Examination
 - (d) Accomplice and Co-accused
 - (e) Acquisition of ownership by possession
 - (f) Hostile witness

2. Explain the doctrine of Res Gestae. Do you agree with the view that this doctrine is not only useless but is also harmful? 16

3. How far is character relevant and admissible in evidence in civil and criminal cases? 16

4. How does confession differ from admission? What are Judicial and Extra – Judicial confessions? Under what circumstances it is relevant and when can it not be proved? How far can the statements of the accused made before the police be used against him?
4+4+4+4=16

5. What is leading question? Explain the situations when such questions can and cannot be asked? 16

6. What do you understand by Burden of Proof? On whom does the burden of Proof lie? State the rules of

- determining Burden of Proof in a suit or proceeding. When does the burden of proof shift to the other parties? Are there any exceptions. 16

7. Discuss the law regarding competency of a witness? Can a wife be competent witness against her husband? 16

8. “Admission cannot be proved by or on behalf of any person who makes it”. Are there any exceptions. Discuss. 16

9. “Time commences to run the moment the right to sue accrues”. Discuss. 16

10. Discuss the provisions relating to computation of period of limitation under Limitation Act, 1963. 16

8. a) Discuss the law of private defence of body as enumerated in the Indian Penal Code.
- b) 'A' accused of murder, alleges that by reason of unsoundness of mind, he did not know the nature of his act. Will he be acquitted?

12+4=16

9. What are offences against public tranquillity? Explain any three of them in detail. 16

10. Write short commentary of any two 8+8=16

- a) Offence of trafficking of person
- b) Causing death by negligence
- c) Kidnapping from lawful guardianship

*****LLB/V/28/4*****

2017
(Nov - Dec)
BACHELOR OF LAW
(Criminal Law – 1 (IPC))
Paper - 28
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: 5x4=20

- (a) Sedition
- (b) Death penalty under IPC
- (c) Actus non facit reum nisi mens sit rea
- (d) Meaning of public servant under IPC
- (e) Criminal conspiracy
- (f) Grievous hurt

2. a) Explain intra and extra-territorial operations of IPC.
- b) A, a foreigner on an Italian ship on the high seas steals a watch of a fellow passenger who is an Indian citizen. The ship arrives at Mumbai. Is A punishable at Mumbai under IPC for theft of the watch?

12+4=16

3. a) What is culpable homicide? When does it amount to murder?
- b) A does not allow B to proceed in a particular direction in which he has right to proceed. Is A liable for any offence?

12+4=16

4. Distinguish between any four:
- 4x4=16**
- a) Preparation and attempt to commit an offence
- b) Common intention and common object
- c) Criminal misappropriation of property and criminal breach of trust

LLB/V/28/2

- d) Adultery and rape
- e) Document and valuable security

5. a) Define defamation and explain any five exceptions against a charge of defamation.
- b) 'A' instigates 'B' to murder 'D'. 'B' in pursuance of the instigation stabs 'D'. 'D' recovers from the wound. What is the liability of A and B?

12+4=16

6. Write short commentary with leading cases of any two: **8+8=16**
- a) Offence of bigamy
- b) Offence of cheating
- c) Infancy as a defence

7. a) "In robbery there is either theft or extortion". Discuss.
- b) 'A' after committing theft in B's house goes out by jumping through window. Discuss A's liability.

12+4=16

LLB/V/28/3

2017
(Nov - Dec)
BACHELOR OF LAW
(Interpretation of Statutes & Principles of Legislation)
Paper - 30
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer **any six** (6) questions including **Question No.1** which is compulsory.

1. Write short notes on **any four** of the following: **5x4=20**
- (a) Noscitur of Sociis
 - (b) Ejusdem Generis Rule
 - (c) Rule of prospective overruling
 - (d) Codification of a Statute
 - (e) Doctrine of Eclipse
 - (f) Harmonious Construction

2. Discuss the Golden Rule of Interpretation of Statutes. Elucidate with reference to decided case laws. **16**
3. Explain the general principles of Interpretation of Statutes by highlighting relevant case laws. **16**
4. The Street Offences Act, 1959 passed to clean up the street provides that, "It shall be an offence for a common prostitute to loiter or solicit in a street for the purpose of prostitution". 'X', a prostitute attracts the attention of the passerby from the balcony and windows and was charged under the aforesaid provision. She takes the plea before the court that she was not soliciting "in a street" as she was not physically in the street.
- Decide the case giving the appropriate rule of construction and support your answer with relevant case laws. **16**
5. Explain intrinsic and extrinsic aids of interpretation by citing relevant case laws. **16**

LLB/V/30/2

6. Explain: **8+8=16**
a) Judicial process vis-a-vis legislation process
b) Kinds of legislation
7. Explain the procedure of law making under the Constitution of India. **16**
8. What is taxing statute? Explain the objectives of a taxing statute. **6+10=16**
9. Explain (any two): **8+8=16**
a) Relation of legislation to other sources of law
b) Doctrine of Pith and Substance
c) Interpretation of deeds.
10. If an accused falls within the four corners of the statute, he is to be taxed; if not, he is free from tax liability. Explain this statement with reference to the basic rule of interpretation of taxing statute and support your answer with decided case laws. **16**

*******LLB/V/30/3*******