

LLB/V/27

**Professional Course Examination, November 2018**

( 5th Semester )

**BACHELOR OF LAW**

Paper : 27

( Law of Evidence )

Full Marks : 100

Pass Mark : 40

Time : 3 hours

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

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20
- (a) Conclusive proof
  - (b) Stages of examination
  - (c) Hostile witness
  - (d) Opinions of experts
  - (e) Bar of limitation
  - (f) Legal disability

2. Define the term 'evidence'. Explain the nature and functions of the Law of Evidence.

16



3. (a) What are the differences between admission and confession? How much of information received from the accused may be proved? 8  
(b) "Confession to police officer not to be proved." Explain. 8
4. (a) What is dying declaration? Discuss the relevant provision of dying declaration. 8  
(b) Define *res gestae* with relevant case laws. 8
5. Explain the different modes of proof provided in the Indian Evidence Act, 1872. 16
6. What is leading question? Explain the situations when such questions can and cannot be asked. 16
7. Explain the principle of estoppel incorporated in Section 115 of the Indian Evidence Act and its kinds. Are there any exceptions to this principle? 16
8. Who may testify? Explain the provision concerning communications made during marriage. 16
9. Define easement. Explain in detail acquisition of ownership by possession provided in Part IV of the Limitation Act, 1963. 16
10. Discuss the provisions relating to computation of period of limitation under Limitation Act, 1963. 16

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**Professional Course Examination, November 2018**

( 5th Semester )

**BACHELOR OF LAW**

Paper : 28

**[ Criminal Law—I (Indian Penal Code) ]**

Full Marks : 100

Pass Mark : 40

Time : 3 hours

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

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20
  - (a) Criminal conspiracy
  - (b) Attempt to commit offences
  - (c) Cruelty by husband or relatives of husband
  - (d) Criminal misappropriation of property
  - (e) Unnatural offences
  - (f) Receiving of stolen property
2. (a) Explain the applicability of the maxim, *Actus non facit reum, nisi mens sit rea* in Indian Penal Code. 10
  - (b) A, a US citizen from California, was on holiday in Aizawl (India) with his girlfriend. While they were going to shopping at Millennium Centre, A kicked and punched his pregnant girlfriend in the stomach five days before due date. She survived, but the baby she was carrying died. Is A liable for murder of child in Aizawl? If so, under what Section of the Indian Penal Code, A will be charged? 6



3. (a) Distinguish between culpable homicide, murder and culpable homicide not amounting to murder. 10
- (b) A obstructs B from entering into classroom on the false pretext that the class is suspended. Discuss the liability of A. 6
4. Define theft and state its essential elements. Can a person be convicted of theft of his own property? Also highlight the distinction between 'theft' and 'extortion'. 8+4+4=16
5. (a) What are offences relating to marriage? Explain any two of them in detail. 10
- (b) A, a thief, attempts to take out the purse of B who has a loaded pistol in his pocket. As soon as the thief put his hand into B's pocket, the pistol goes off, and B is shot dead. Is A guilty of causing B's death? Discuss. 6
6. (a) What is rape? When is a man said to commit rape? 10
- (b) A is asked who stole B's watch. A points to Z, intending it to be believed that Z stole B's watch. Has A committed any offence? Discuss. 6
7. Define 'common intention' and 'common object'. What is the difference between 'Section 34' and 'Section 149' of the Indian Penal Code? Illustrate your answer with the help of a few leading cases. 16
8. (a) What is the right of private defence? What are the limitations to the exercise of the rights of the private defence of body and property? 10
- (b) What is the difference between 'legal insanity' and 'medical insanity'? Explain. 6
9. (a) What is robbery? When do the theft and extortion amount to robbery? 10
- (b) A instigates B to kill C. B refuses to do so. Discuss A's liability. 6
10. (a) Define kidnapping and distinguish kidnapping from abduction. Illustrate your answer with examples. 10
- (b) Write a short commentary on offence of sedition. 6

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LLB/V/30

**Professional Course Examination, November 2018**

( 5th Semester )

**BACHELOR OF LAW**

Paper : 30

( Interpretation of Statutes )

Full Marks : 100

Pass Mark : 40

Time : 3 hours

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

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20

- (a) Meaning and objectives of interpretation
- (b) Statute must be read as a whole
- (c) Rule of purposive construction
- (d) Heydon's Rule
- (e) Interpretation of constitutional provisions
- (f) *Ex visceribus actus* rule

2. What do you mean by a statute? Explain the different parts of a statute and the different classifications of it. 2+14=16



3. The function of the court is to interpret the law and not to legislate. Discuss. 16
4. Explain the Golden Rule of interpretation of statutes and discuss how it differs from the literal rule. 16
5. Explain the maxim, *ut res magis valeat quam pereat* as applied to interpretation of statutes supported by case laws. 16
6. Discuss on the following : 8+8=16
  - (a) The importance of the Preamble in the interpretation of statutes
  - (b) The significance of long title in the interpretation of statutes
7. Explain with illustration the principle of *ejusdem generis* as applied to the construction of statutes. 16
8. "Every effort should be made to give effect to all the provisions of an Act by harmonizing any conflict between two or more of its provisions." Explain and elaborate the statement when harmonious construction can be applied referring to case laws. 16
9. Explain the different forms of external aids and give out their importance in the interpretation of statutes. 16
10. Discuss on the following : 8+8=16
  - (a) Interpretation of penal statutes
  - (b) Legislation

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