

10. (a) Define admission? Differentiate it from confession.
- (b) How much of information received from accused may be proved?. Explain.

8+8=16

***** V/LL.B/27/4*****

2014
(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* questions including *Question No.1* which is compulsory.

1. Write short notes on any four on the following

5X4=20

- a) Estoppel.
- b) Conclusive proof.
- c) Leading question.
- d) Acknowledgement of barred debts.
- e) Effect of limitation on trust property.

2. (a) "Facts which, though not in issue, are so connected with a fact in issue as to form part of the same transaction, are relevant". Discuss.

- (b) The question is, whether 'A' committed a crime at Aizawl on a certain day. The fact that, on that day 'A' was at Lunglei. Is that fact 'relevant'? Discuss
12+4=16

- (a) Explain the meaning of sufficient cause as contemplated under Sec. 5 of the Limitation Act, 1963.

- (b) "Once, time has begun to run no subsequent disability stops it". Explain.
8+8=16

- (a) 'A witness may lie but not the circumstances'. Discuss the statement in the light of evidential value of circumstantial evidence.

- (b) Discuss the rules relating to dying declaration.
8+8=16

- (a) What is difference between burden of proof and onus of proof? State and explain rules of burden of proof under the Evidence Act.

- (b) In what cases may secondary evidence relating to documents be given.
8+8=16

- (a) "Limitation bars the remedy but does not extinguish the right". Discuss.

- (b) Explain the circumstances where limitation period is postponed for computation.
4+12=16

7. (a) Who are experts? When do opinion of third persons relevant under the Evidence Act?

- (b) "An accomplice is unworthy of credit, unless corroborated in material particular". Comment.
8+8=16

8. (a) Who can testify? Is a child a competent witness? Discuss in the light of relevant provisions of law and decided cases.

- (b) What is importance of cross examination in trial? State and explain rules governing cross examination.
8+8=16

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

- (a) Refreshing memory

- (b) Hostile witness.

- (c) Acquisition of easement by prescription

- (b) Rape and Adultery.
- (c) Preparation and Attempt.
- (d) Document and Valuable security.
- (e) Theft and Extortion.

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

2014
(DEC)
BACHELOR OF LAW
(Criminal Law - I)
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* questions including *Question No.1* which is compulsory.

1. Write short notes on any four on the following

5X4=20

- a) Sedition.
- b) Accident as a defense.
- c) Stolen Property.
- d) Criminal conspiracy.
- e) Cheating.

2. "Every murder is culpable homicide but every culpable homicide is not murder". Comment.

3. (a) "Mere act is not punishable unless done with a particular intention". Explain.
(b) 'A' and 'B' agree to kill 'C' in the evening. They are arrested in the afternoon. Discuss their liability.
8+8=16
4. (a) Define defamation and explain the exception against a charge of defamation.
(b) 'A' accused of murder, alleges that by reason of unsoundness of mind he did not know the nature of the act. Will he be acquitted?
12+4=16
5. (a) Explain the principle of Joint liability under criminal law. What is the difference between common intention and common object.
(b) 'A' an American kills 'B' a Japanese at London. He is arrested at Lunglei. Whether court at Lunglei has jurisdiction to try him?
12+4=16
6. (a) "In every robbery there is either theft or extortion". Comment.
(b) 'A' instigate 'B' to murder 'D'. 'B' in pursuance of the instigation stabs 'D', 'D' recovers from the wound. What offence has 'A' committed.
12+4=16

7. (a) State the law relating to the right of private defense against human body.
(b) 'A' does not allow 'B' to proceed in a particular direction in which he has a right to proceed? Is 'A' liable for any offence?
12+4=16
8. (a) State the law relating to 'rape' as amended by the Criminal Law (Amendment) Act, 2013.
(b) 'M', a married person, during lifetime of his wife again marries with 'P', without disclosing the fact of his first marriage. What is the liability of 'M'?
12+4=16
9. (a) Explain the offence of kidnapping and distinguish it from abduction.
(b) 'Y' wanted to end his life. He has purchased poison and kept it ready for consumption during night hours but he was arrested by police in the evening. Is 'Y' liable?
12+4=16
10. Distinguish between (any four)
4x4=16
(a) Criminal misappropriation and Criminal breach of trust.

2014
(DEC)
BACHELOR OF LAW
(Interpretation of Statutes)
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* questions including *Question No.1* which is compulsory.

1. Write short notes on any four on the following

5X4=20

- a) Noscitur a Sociis
- b) Doctrine of Eclipse.
- c) Parliamentary history as a source of interpretation.
- d) Codification.
- e) Rule of Prospective Overruling.

2. Explain the Golden Rule of interpretation of statutes and discuss how far this rule differs from the Literal rule. Support your answer with relevant case laws.

"A statute is best understood if one knows the reasons behind passing of the Act". In the light of this given statement explain the meaning of aids to the construction of statutes and discuss their importance in interpreting various statutes.

16

Explain the meaning, nature and kinds of legislation and discuss its relation to other sources of law.

16

The Street Offences Act 1959, passed to clean up the streets provides that "it shall be an offence for a common prostitute to loiter or solicit in a street for purpose of prostitution". 'X' a prostitute attracts the attention of the passersby from balconies 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 supporting your answer with relevant case laws.

16

(a) Explain the Principle of ejusdem generis and discuss the various conditions under which the rule of ejusdem generis applies in the interpretation of statutes.

(b) Explain the Principles of interpreting taxing statutes.

8+8=16

***** V/LL.B/30/2*****

7. "Constitution is but the declaration of people and must be interpreted liberally and in a narrow spirit". Elucidate.

16

8. "The degree of strictness to be applied in the construction of a penal statute depends on the severity of the statute". Elaborate this statement giving the meaning and modes of interpretation of a penal statutes with the help of relevant case laws.

16

9. What do you mean by statutory interpretation? Discuss the general principles of interpretation.

16

10. Explain

8+8=16

(a) Judicial Process vis-à-vis legislation process.

(b) Doctrine of Severability and Pith and Substance.

***** V/LL.B/30/3*****