

**2013**  
**(DECEMBER)**  
**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 commentary of ***any four*** of the following. **4x5=20**
  - a) Cross-Examination.
  - b) Res gestae.
  - c) Plea of alibi.
  - d) Secondary evidence.
  - e) Easement by prescription.
  - j) Acknowledge in writing.

2. a) Define: may presume, shall presume and conclusive proof by giving one illustration each.

b) Can conviction be made only on circumstantial evidence? Discuss.

**8+8=16**

6. a) What do you mean by "burden of proof"? Discuss general principles of burden of proof.

b)

A, accused of murder, alleges that by reason of unsoundness of mind, he did not know the nature of the act. To whom does the burden of proving of mind lies? Discuss. **8+8=16**

3. a) Point out the differences between Admission and Confession. How much of information received from the accused may be proved?

b) Is admission a conclusive proof? Discuss. **8+8=16**

7. a)

A intentionally and falsely leads B to believe that certain land belongs to A and thereby induces B to buy and pay for it. The land afterwards becomes the property of A, and A seeks to set aside the sale on the ground that at the time of the sale he had no title. Is A entitled to do so? Discuss.

4. a) What is dying declaration? Discuss the relevant provisions of dying declaration.

b) Who is an expert? **8+8=16**

b)

Who may testify? Explain the provision concerning communications made during marriage. **8+8=16**

5. a) When is character relevant? Discuss with relevant provisions of Evidence Act, 1872.

b) B pays up the money he owed to A. Oral Evidence is offered for the payment. Is it admissible? Discuss. **8+8=16**

8. a)

Who is an accomplice? "The evidence of an accomplice, though it is uncorroborated, may form the basis for a conviction". Explain.

- b) What are leading questions and when should they be asked? **8+8=16**
9. a) Explain the meaning of 'Sufficient cause' contemplated under Limitation Act, 1963 by highlighting leading case laws.
- b) Discuss the law as to continuous running of the limitation period. A borrows ₹ 50,000/- from B on a promissory note. B dies a month after this, leaving C his minor son. C sues A for the money within one year of attaining his majority but 5 years after the borrowing date. Can C recover the loan from A? Discuss. **8+8=16**
10. a) State and explain the provisions of exclusion of time and postponement of limitation under Limitation Act, 1963.
- b) "Limitation does not extinguish the substantive right but only bars the remedy" Comment. **8+8=16**



**2013**  
**(DECEMBER)**  
**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*** including ***Question No.1*** which is compulsory.

**SECTION - A**

1. Write short notes of ***any four*** of the following.  
**4x5=20**

- a) Mens rea
- b) Infancy as a defence
- c) Unlawful assembly
- d) Causing death by negligence

2. "The Criminal (Amendment) Act, 2013 has brought in many changes particularly to offences against women under IPC". Discuss the important changes made by the Act with special reference to the definition of rape, sexual harassment and trafficking of person. **16**

3. a) "Every murder is culpable homicide but every homicide is not murder" Comment. **12**

b) 'A' wanted to end his life. He had purchased poison and kept it ready for consumption during night hours but he was arrested by police in the evening. Is A liable? Discuss his liability. **4**

4. a) Explain the law relating to defamation with any four exceptions in detail. **12**

b) A and B agree in the morning to commit murder in the evening. They are arrested in the afternoon before the offence of murder is committed. Discuss their liability. **4**

5. Distinguish between **any four**:- **4x4=16**

a) Abduction and kidnapping

b) Preparation and attempt

c) Criminal Force and Assault

d) Document and valuable security

e) Wrongful restraint and wrongful confinement

6. a) What is right of private defence Discuss the right of private defence of body. **12**

b) A instigates B to kill C. B refuses to do so. Discuss A's liability. **4**

7. a) What are offences against the state Explain any two of them in detail. **12**

b) A with an intention to commit theft enters into B's house through window. What is the offence, if any committed by A? **4**

9. a) Define grievous hurt. A transmitted gonorrhoea a sexually transmitted disease to B during sexual intercourse. Discuss the liability of A.  
**8+4=12**

b) Can a husband be prosecuted for committing rape of his wife? Discuss.  
**4**

10. a) "In all robbery there is theft or extortion". Comment.  
**8**

b) What are offences relating to marriage? Explain any two of them in detail.  
**8**

**\*\*\*\*\*V / 11b-28 \*\*\*\*\***



Q. 8 a)

Explain the principle of joint criminal liability U/IF  
Distinguish it from common object. (12)

b)

'A' by pledging as diamond article which he know  
are not real diamond, intentionally deceive 'Z' ar  
thereby dishonestly induces 'Z' to lend money. \  
is the liability of 'A'? (4)

2013

(DECEMBER)

BACHELOR OF LAW

( Interpretation of Statutes and 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** including **Question No.1** which is compulsory.

1. Write short notes on **any four** of the following  
**4x5=20**
  - a) Repugnancy
  - b) Ejusdem Generis Rule
  - c) Effect of Repeal (under the General Clauses Act 1897)
  - d) Doctrine of Pith and Substance
  - e) Prospective Over ruling
  - j) Distinction between Mandatory and Directory provision.



2. Explain the general principles of Interpretation of Statutes by citing relevant examples. **16**

3. Explain "*Noscitur a Sociis*" and write a note on its applicability. **16**

4. Explain the utility of intrinsic aids in interpretation of statutes with the help of relevant cases. **16**

5. "A retrospective operation is not to be given to a statute so as to impair an existing right or obligation. Discuss. **16**

6. Comment on the construction of provisos, exceptions, explanations and saving clauses in a statute. **16**

7. "The preamble to the Constitution of India is a key to open the mind of the constitution maker". Discuss the importance of the preamble in the interpretation of constitutional provision in the light of the given statement. **16**

8. "A taxing statute is to be strictly construed". Discuss with reference to general principles of interpreting taxing statutes. **16**

9. a) Discuss the role of legislation as a source of law. **8**

b) Write a note on judicial legislation. **8**

10. Explain:- **8+8=16**

a) Legal Reasoning

b) Law and Public policy

\*\*\*\*\*V / IIb-30 \*\*\*\*\*