2025/05

BA LLB
EIGHT SEMESTER
LAW OF EVIDENCE
BLB – 802 [REPEAT] OLD COURSE
[USE OMR FOR OBJECTIVE PART]

SET A

Duration : 3 hrs. **Full Marks : 80**

Objective

Time : 30 min. **Marks : 30**

Choose the correct answer from the following: ***1×10=10***

1. The principle on which a dying declaration is admitted in evidence is indicated in legal maxim:
   a. Nemo moriturus proesumitur mentiri
   b. Lex fori
   c. Res judicata
   d. None of them
2. Relevancy of facts forming part of same transaction is dealt under which of the following section of the Indian Evidence Act?
   a. Section 4
   b. Section 6
   c. Section 10
   d. Section 8
3. Public documents are mentioned in:
   a. section 72 of Evidence Act
   b. section 73 of Evidence Act
   c. section 74 of Evidence Act
   d. section 75 of Evidence Act
4. Previous and subsequent conduct are relevant under Section-
   a. Section 6
   b. Section 8
   c. Section 7
   d. Section 9
5. Leading question under evidence Act can be asked during ------
   a. Cross Examination
   b. Straight Examination Even
   c. Adverse party object
   d. None of the above
6. As per the Evidence Act a person is competent to testify unless prevented from understanding by reason of-
   a. Tender age
   b. Extreme old age
   c. Disease of mind
   d. All of the above
7. "Document" under section 3 includes-
   a. Lithograph
   b. Figures
   c. Photograph
   d. All of the above
8. Admission of a person can be examined -
   a. As a whole
   b. In parts
   c. Both a and b
   d. None
9. Facts means-
   a. State of things
   b. Mental conditions
   c. Relation of things
   d. All of the above

10. Conduct under evidence act includes-
    a. Previous
    b. Subsequent
    c. Both a and b
    d. None

Answer the following: (Use descriptive answer sheet) ***2×10=20***

1. What is probate jurisdiction?
2. How documents of 30 years old be proved?
3. What do you understand by the term 'Refreshing memory'
4. Give the meaning of the term 'Modus Operandi'
5. Who is competent to testify under Evidence Act?
6. Differentiate oral and documentary evidence
7. What is Lex Fori?
8. Define Conclusive proof.
9. Define fact in issue with illustration
10. Distinguish admission and confession

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Descriptive

Time : 2 hrs. 30 min. **Marks : 50**

[Answer the following questions]

1. **a.** Is Confession to Police Officer admissible. Explain **10**

   Or

   b. Explain the provision relating to examination of witness under the Evidence Act 1872 **10**

2. **a.** What is dying declaration? Who can record the dying declaration. Discuss in brief its evidentiary value. **5+5=10**

   Or

   b. How burden of proof can be determined? Comment on chapter 7 of the Act. **10**

3. **a.** Are the characters relevant and admissible in civil and criminal cases? If yes-justify our statement. **10**

   Or

   b. Describe the communication which are considered privileged under the Act. **10**

4. **a.** Who is an expert? How important is the opinion of expert as evidence **5+5=10**

   Or

   b. What is admission? Who can make admission? Explain admission in civil and criminal cases. **5+5=10**

5. Write short note on: **5+5=10**
   a. Presumption as to dowry death
   b. Public document and Private document

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