LLB Fourth Semester LAW OF EVIDENCE (LLB – 401)

Duration: 3Hrs. Full Marks: 80

Part-A (Objective) =30 Part-B (Descriptive) =50

(PART-B: Descriptive)

Duration: 2 hrs. 30 mins. Marks: 50

Answer the following questions:

1. Distinguish between: $(5\times2=10)$

a) Direct and circumstantial evidence.

b) Presumption of fact and presumption of law.

Or

Write short notes on the following: (any two)

 $(5 \times 2 = 10)$

- a) Shall Presume
- b) May Presume
- c) Conclusive Proof
- 2. Explain the provisions relating to Admission and confession as laid down under the Indian Evidence Act, 1872. (10)

Or

Discuss in detail Judicial and Extra-Judicial confessions with case laws. Write down a few points of difference between them. (6+4=10)

3. Is Dying Declaration always admissible? What are the different circumstances under which Dying Declaration can be made? (2+8=10)

Or

What do you mean by expert witness and ordinary witness? Discuss the provisions of the Indian Evidence Act relating to relevancy of character. (4+6=10)

4. Discuss the general provisions relating to Burden of Proof as laid down under the Indian Evidence Act. (10)

Or

What is Estoppel? What are the essential conditions for application of the Doctrine of Estoppel? Write about different types of Estoppel with illustrations. (2+2+6=10)

5. Explain the different stages of examination of witnesses with appropriate provisions of the Indian Evidence Act, 1872. (10)

Or

Write short notes on the following: (any two)

 $(5 \times 2 = 10)$

- a) Value of a Child Witness.
- b) Hostile witness.
- c) Privileged Communications.

c) A sale deed.d) Both (a) and (b).

LLB

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	(1	LLB - 401)	
Du	ration: 30 minutes		Marks - 30
	(PART	A- Objective Type)	
I. (Choose the correct answer:		1×10=10
1.	Direct evidence is also known as: a) strong evidence c) neutral evidence	b) positive evidence d) weak evidence	
2.	The expression 'not proved' implies: a) a state of mind in between 'proof' an b) a statement not admitted c) both (a) and (b) d) none of the above	d 'disproof'	
3.	Under which of the following provision Indian Evidence Act, 1872? a) Section 12 c) Section 7	b) Section 6 d) Section 110	down under the
4.	Which of the following provisions of the existence of state of mind, or body or both a) Section 9 c) Section 14		I to 'Facts showing
5.	Dying Declaration is a: a) Hearsay evidence c) Negative evidence	b) Direct evidence d) none of the above	
6.	An incomplete dying declaration is: a) admissible c) a good piece of evidence	b) inadmissible d) none of the above	
7.	Primary evidence is laid down under: a) Section 62 c) Section 40	b) Section 63 d) Section 20	
8.	Which of the following is not a public of a) Documents of tribunals. b) Documents forming the acts of sover		

9. Under which of the following provisions of the Indian Evidence Act, Dumb Witness is defined?a) Section 119b) Section 105

d) Section 8

- 10.Cross-Examination of witness is:
 - a) examination in Chief.

c) Section 33

- b) examination of witness by opposite party.
- c) examination of witness by third party.
- d) examination of witness by Judge in private.

II. Answer the following qu	uestions:
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 $2 \times 10 = 20$

- 1. Define 'Fact' and 'Evidence'.
- 2. Write two points of distinction between Original and Hearsay evidence.
- 3. What is the basic principle regarding evidence of common intention relating to conspiracy as laid down under the Indian Evidence Act?

4. Explain the terms 'Admission' and 'Confession'.

5. What is a Dying Declaration? Give examples.

6. How a Dying Declaration is proved?	
o. How a Bying Beolatation is proved.	
7. Explain Documentary evidence with e	examples.
8. On whom the burden of proof lies in c Give reasons.	case of abetment of suicide by a married woman?
9. What is a Leading Question?	*
10. Who is an Accomplice? Whether an ac	ccomplice can be a witness?



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Instructions to Candidates	For Objective Type Questions		Session: 2016-17
This answer booklet has 4 pages. Please check before			
writing whether it is complete or in good condition.	Page No.	Marks	Course
Do not write your name anywhere in the answer booklet.			Roll No
Write legibly on both sides of the paper			
You may use some space for any rough notes or calculation			Enrollment No
on the answer booklet if you need. These rough notes,			Semester
calculations must be scored out before submitting the answer			Name of the Paper
booklet.			
Do not bring any book or loose paper in the examination			
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hall.	For Descriptive Type		raper code
6. Do not tear any page from the answer booklet.	Questions		
7. Do not write anything on the question paper or blotting	Question No.	Marks	
paper or any pieces of paper while you are in the examination			
hall.			
8. Any act of indiscipline or misbehavior in the examination hall			
will result in your expulsion.		12	
9. No examinee is allowed to leave the examination hall until			
30 minutes lapse after the commencement of the examination.			
10. Additional answer sheet will be supplied after the main			
answer booklet is completed.			
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Scrutinizer's Signature

Examiner's Signature

Invigilator's Signature