

**LLB**  
**SECOND SEMESTER**  
**LAW OF CRIMES – II [CrPC]**  
**LLB - 204**

(USE SEPARATE ANSWER SCRIPTS FOR OBJECTIVE & DESCRIPTIVE)

Duration: 3 hrs.

Full Marks: 70

[ PART-A: Objective ]

Time: 20 min.

Marks: 20

*Choose the correct answer from the following:*

**1×20=20**

1. Section 162 of the Code of Criminal Procedure,1973 is for the protection of
  - a. Accused
  - b. Witnesses
  - c. Police officer
  - d. Magistrate
  
2. The protection under section 162 of the Code of Criminal Procedure,1973 is
  - a. Available in Civil proceedings
  - b. Available for proceedings under Article 32and 226 of the Constitution
  - c. Not Available in rape cases
  - d. Only available in Criminal enquiry or trial in respect of the offence under investigation
  
3. Under the provisions of Code of Criminal Procedure,1973 confessions
  - a. Can only be made to the authorised persons
  - b. Only the Magistrate enjoys the power of recording confessions
  - c. Made to the Police Officer are valid
  - d. Made by the accuse while in police custody to a police officer is valid
  
4. Which of the following is true of section 31of Crpc?
  - a. It relates to the quantum of the punishment that the Court has jurisdiction to pass where the accused is convicted of two or more offences at one trial
  - b. It is rule of the procedural law
  - c. Either a or b
  - d. Both a and b
  
5. The term taking cognizance under the provisions of Code of Criminal Procedure,1973 means
  - a. Starting a trial
  - b. Completing preliminary requirements for starting a Criminal trial
  - c. Taking notice of the matter judicially
  - d. An Administrative action to decide if criminal trial is required

6. Discharge of the accused under section 249 of the code of Criminal Procedure, 1973
- Is considered to be acquittal for the process of section 300 of IPC
  - Is based on the merits of the case
  - Acts as a bar on filing second complaint
  - Need not be done in case the complainant dies.
7. The Magistrate at his discretion can allow the complainant to withdraw the complaint and acquit the accused in case of
- Warrant case
  - Summons case
  - Both A and B
  - Either a or b
8. The word inspection used in section 93(1) (c), CrPC refers to
- Things or documents
  - Locality & place
  - Both a &b
  - Either a or b
9. Crime is a major part of every-
- Society
  - Family
  - Both a & b
  - None
10. A search warrant can be issued in respect of a place
- Used for deposit & sale of stolen property
  - Used for deposit ,sale &production of counterfeit coin, currency notes & stamp
  - Used for deposit, sale &product production of forged documents & false seals
  - All of the above
11. The \_\_\_\_ states that no woman shall be arrested after sunset and before sunrise except under exceptional circumstances.
- Code of criminal procedure
  - Police Act
  - Indian penal code
  - Probation of offenders Act
12. \_\_\_\_ means a crime for which the police can arrest without warrant.
- Cognizable offence
  - Non cognizable offence
  - Bailable offence
  - Non bailable offence
13. Conditions on the release on bail can be imposed-
- In a bailable offence
  - In all the non bailable offence
  - In non - bailable offence punishable with imprisonment may extend to seven years or more
  - Only b and c
14. Any condition imposed by a magistrate while releasing the accused in a non-bailable offence case can be set aside or modified.
- By the magistrate himself
  - By the court of session
  - By the High court
  - All of the above
15. Under section 436 of crpc bail can be granted-
- By police
  - By the magistrate
  - By the police as well as the magistrate
  - By the magistrate only and not the police

16. Jurisdiction to grant bail under section 438 of CrPC vests with-
- a. The court of magistrate
  - b. The court of session
  - c. The High court
  - d. The court of session and the High court and not in the court of magistrate.
17. The code of criminal procedure 1973 came into force on-
- a. 1st April, 1973
  - b. 2nd April, 1973
  - c. 1st April, 1974
  - d. 2nd April, 1974
18. According to which section of code of criminal procedure, 1973 definition of Warrant has been given?
- a. Sec 2(g)
  - b. Sec 2 (h)
  - c. Sec 2 (w)
  - d. Sec 2 (x)
19. Section 204 of the code of criminal procedure, 1973 deal with-
- a. Examination of complainant
  - b. Examination of accused
  - c. Issued of process
  - d. Cross Examination of accused
20. District magistrate are under control and subordinate to-
- a. Session court
  - b. Chief judicial magistrate
  - c. High court
  - d. State Government
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**( PART-B : Descriptive )**

Time : 2 hrs. 40 min.

Marks : 50

[ Answer question no.1 &amp; any four (4) from the rest ]

1. Discuss the basic types of offences under the code of 1973 and the importance of criminal procedure in the present society with some case laws. 5+5=10
2. Explain the various classes of criminal courts with its powers and jurisdiction. 2+8=10
3. Explain the term First Information Report. Discuss its evidentiary value with its importance in the code of 1973. 2+8=10
4. Discuss what is meant by taking cognizance of an offence by a magistrate. Under what circumstances can a magistrate take cognizance of an offence? 2+8=10
5. Explain briefly the limitations imposed by the code on the unfettered powers of magistrate to take cognizance of offences under section 190. 10
6. What is bail? Discuss the basic philosophy underlying the law relating to bail. 2+8=10
7. Discuss section 125 of CrPC with maintenance of wife and children and parents. 10
8. What is anticipatory bail? Under what circumstances can such bail be granted? By which court can such bail be granted? 2+6+2=10

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