

LLB
SECOND SEMESTER
CRIMINAL PROCEDURE CODE II
LLB - 204
(USE OMR FOR OBJECTIVE PART)

**SET
A**

Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

(Objective)

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 32 and/or 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. Under section 164 of the Code of Criminal Procedure, 1973 -
 - a. Only the statement of a person produced by the police or investigations agencies can be recorded
 - b. Statement of the person approaching the Magistrate independently can be recorded
 - c. The statement made need not be voluntary
 - d. The police officer is authorised to record the statement
5. Which of the following confessions is admissible under the provisions of the Code of Criminal Procedure, 1973?
 - a. Magistrate while recording a confession did not specifically tell the accused that he was a Magistrate
 - b. Magistrate recorded the confession of the accused but did not get it signed by the accused
 - c. Investigating officer took the accused from the jail to the Magistrate, set with him while the confession was being made and brought the accused back to the jail
 - d. The Magistrate recorded the confession of the accused, but forgot to certify that the confession was taken voluntarily

6. Which of the following is true as per Section 31 of Cr. P.C.?
 - 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)
7. 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
8. Under the provisions of Code of Criminal Procedure, 1973 for taking cognizance of an offence-
 - a. Judicial application of mind by the Magistrate is not needed
 - b. It is not open to the court to analyse the evidence produced
 - c. Is an area exclusively within the domain of the Magistrate and the Officer-in-charge of the case
 - d. The offence must be committed within the territorial jurisdiction of a first class judicial Magistrate
9. Under the provisions of section 202 of the Code of Criminal Procedure, 1973 the Magistrate cannot-
 - a. Conduct the inquiry himself
 - b. Ask the police officer to conduct an investigation
 - c. Ask a person who is not a police officer to conduct an investigation
 - d. Use judicial discretion
10. The Magistrate under the provisions of section 203 of the Code of Criminal Procedure, 1973 can dismiss a complaint-
 - a. Even if the proceedings against the accused have commenced
 - b. Even if there is sufficient ground for proceeding
 - c. Even if enquiry under section 202 of the CrPC is not done
 - d. Even if the complainant is not examined
11. Which of the following statements hold true for plea of guilty under the provisions of the Code of Criminal Procedure, 1973?
 - a. The plea of "not guilty" is not recognised by CrPC
 - b. Pleader can make plea of guilty on behalf of the accused
 - c. The admission made by the accused is binding on him
 - d. Plea of Guilty to a capital charge is inadmissible
12. Charge means-
 - a. Includes any head of charge when the charge contains
 - b. Includes any head of charge when the charge contains more heads than one
 - c. Both A & B
 - d. Includes any head of charge when the charge contains one heads

13. Complaint means-
- a. Any allegation made in writing to a Magistrate, with a view to his taking action under this code, that some person, whether known or unknown, has committed an offence, but does include a police report
 - b. Any allegation made a Magistrate, with a view to his taking action under this code, that some person, whether , has committed an offence, but does not include a police report
 - c. Any allegation made orally or in writing to a Magistrate, with a view to his taking action under this code, that some person, whether known or unknown, has committed an offence, but does include a police report
 - d. None of the these
14. Which of the following section deals with Direction of warrant for execution?
- a. Section 416 of Cr. P. C
 - b. Section 417 of Cr. P. C
 - c. Section 418 of Cr. P. C
 - d. Section 419 of Cr. P. C
15. Powers to examine the accused comes under-
- a. Section 313 of Cr. P. C
 - b. Section 314 of Cr. P. C
 - c. Section 315 of Cr. P. C
 - d. Section 316 of Cr. P. C
16. Power of High Court to confirm sentence or annul conviction -
- a. Section 366 of Cr. P. C
 - b. Section 367 of Cr. P. C
 - c. Section 368 of Cr. P. C
 - d. Section 369 of Cr. P. C
17. Complaints to Magistrates contained in-
- a. Chapter XIII of Cr. P. C
 - b. Chapter XIV of Cr. P. C
 - c. Chapter XV of Cr. P. C
 - d. Chapter XVI of Cr. P. C
18. Acquittal or conviction comes under-
- a. Section 247 of Cr. P. C
 - b. Section 248 of Cr. P. C
 - c. Section 249 of Cr. P. C
 - d. Section 250 of Cr. P. C
19. Application for plea bargaining is dealt under-
- a. Section 264-B of Cr. P. C
 - b. Section 265-B of Cr. P. C
 - c. Section 266-B of Cr. P. C
 - d. Section 267-B of Cr. P. C
20. Appearance by public prosecutors comes under-
- a. Section 301 of Cr. P. C
 - b. Section 302 of Cr. P. C
 - c. Section 303 of Cr. P. C
 - d. Section 304 of Cr. P. C

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(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

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

1. What are the classes of criminal courts? Describe the jurisdiction of criminal courts. 4+6=10
2. Define charge. what is Joinder of charges? Explain the provisions of joinder of charges. 2+2+6=10
3. What is FIR? Explain the evidentiary value of FIR with the help of case laws. 2+8=10
4. What is maintenance? Explain the provisions for maintenance of wife and parents under Cr.P.C. 2+4+4=10
5. Who is a Public Prosecutors? Explain the provisions when the complaints are made to magistrate under Cr.P.C. 3+7=10
6. Define Bail. What is Anticipatory Bail? Explain in what cases bail to be taken. 2+2+6=10
7. What is Investigation? Explain the powers of police officers to investigate cognizable case. 2+8=10
8. Define trial. Explain the provisions of trial before court of sessions. 2+8=10

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