

**LLB**  
**FOURTH SEMESTER**  
**LAW OF EVIDENCE**  
**LLB - 401**

(USE SEPARATE ANSWER SCRIPTS FOR OBJECTIVE & DESCRIPTIVE)

Duration: 3 hrs.

Full Marks: 80

( PART-A: Objective )

Time: 30 min.

Marks: 30

*Choose the correct answer from the following:*

*1×10=10*

1. Indian Evidence Act was drafted by
  - a. Lord Macaulay
  - b. Sir Jones F Stephen
  - c. Huxley
  - d. Sir Henry Summer Trainee
2. The law of Evidence consists of
  - a. Ordinary rules of reasoning
  - b. Legal rules of evidence
  - c. Rules of logic
  - d. All the above
3. Indian Evidence Act applies to
  - a. Proceedings before the tribunals
  - b. Proceedings before the Arbitrator
  - c. Judicial proceedings in courts
  - d. All of the above
4. Law of Evidence applies is
  - a. A substantive law
  - b. An adjective law
  - c. Both a and b
  - d. Neither a nor b
5. Facts can be
  - a. Physical facts
  - b. Psychological facts
  - c. Physical as well as psychological facts
  - d. Only physical facts and not psychological facts
6. The facts which form part of the same transaction are relevant
  - a. U/S 5 of evidence Act
  - b. U/S 6 of the Evidence Act
  - c. U/S 7 of Evidence Act
  - d. U/S 8 of Evidence Act
7. Under Section 8 of Evidence Act
  - a. Motive is relevant
  - b. Preparation is relevant
  - c. Conduct is relevant
  - d. All the above
8. Presumption under the law of Evidence are
  - a. Presumption of facts
  - b. Presumption of law
  - c. Both a and b
  - d. Only b not a

9. Self regarding statement
- a. Can be self-serving statements
  - b. Can be self-learning statement
  - c. Can be self-serving or self-learning
  - d. None of d above
10. Leading questions under Evidence Act can be asked during
- a. Cross examination
  - b. Straight examination
  - c. Any of the above
  - d. None of these.

*Answer the following:*

**2×10=20**

11. Define "May presume" "shall presume" Conclusive proof.
12. Explain judicial confession.
13. State the meaning of Doctrine of res-gestae.
14. What is the term "Burden of proof" in civil and criminal cases means?
15. What is Public Documents?
16. What is video conferencing and digital signatures?
17. What is Estoppel?
18. What is a hostile witness?
19. Explain "examination in chief and leading questions".
20. What is the term "privileged communication" means under the Act of 1972?

( PART-B : Descriptive )

Time : 2 hrs. 30 min.

Marks : 50

[Answer the following Questions]

1. Discuss in detail the grounds of relevancy of facts. Explain the distinction between relevancy and admissibility of facts under the Act of 1972. 5+5=10

OR

State the procedure for the applicability of Evidence Act on electronic record under Section 65 (A) and 65 (b) with the division of oral and documentary evidence. 10

2. Define admission and confession. State the differences between admission and confession. 3+7=10

OR

Explain in detail about the procedure of confession to police with special reference to 'extra-judicial confession'. 10

3. Define dying declaration. Explain the statement by persons who cannot be called as witnesses's - 32 to 38 with justification for relevance on dying declaration. 10

OR

What is presumption? What are the different kinds of it and distinguish between them? 10

4. What is oral evidence? What form of oral evidence is admissible? Distinguish between direct and hearsay evidence. 10

OR

"Hearsay evidence is no evidence" explain what are its exceptions? 10

5. What are primary and secondary evidence? Distinguish between primary and secondary evidence. 5+5=10

OR

What is documentary evidence under the evidence act of 1872? Explain the different kinds of documentary evidence under the evidence Act of 1872. 10

= = \*\*\* = =