

2014

LAW

(Law of Crime)

Course No. 5:4

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer question no. 1 and any five questions from the rest.

1. Answer the following: (Any four) 4x5
 - a) Explain clearly the terms "dishonestly" and "fraudulently"
 - b) Distinguish between 'preparation' and 'attempt' for commission of an offence.
 - c) Describe what attracts penal liability of an accused.
 - d) Differentiate between the act of a child under seven years of age and act of a child above seven but below twelve years of age in respect of commission of an offence.
 - e) Mention the merit of deterrent theory of punishment

2. Define right of private defence. Discuss circumstances when a person can cause death in defending. 16
 - a) Other's life
 - b) Other's property

3. Distinguish between any two: 8+8
 - a) Criminal misappropriation and criminal breach of Trust
 - b) Threat and criminal intimidation
 - c) Assault and Battery

(Please turn over)

4. a) What is wrongful restraints? When does wrongful restraint becomes wrongly confinement? Discuss. 8
- b) A entered into B's room steal thing. B without knowing it locked to room from outside and left for the night in order to commit theft elsewhere. Discuss what offence has A as well as B committed. 8
5. What is rash and negligent act? Discuss the law relating to "*causing death by negligence*" that is provided in the Indian Penal Code. Does causing death by negligence amount to murder or homicide not amounting to murder. Discuss. 4+6+6
6. "*Robbery is the aggravated form either of theft or extortion*". Discuss the statement with the help of suitable illustrations. (8+8)
7. a) Explain the ingredients of abetment. 8
- b) Explain whether the following constitute abetment. 8
- i) Granting of accommodation in a house for solemnizing an illegal marriage
- ii) supplying food to a person knowing that he is about to commit a crime.
8. Explain what is mistake of fact and mistake of law. Mistake of fact can be a defence in committing an act which would have been otherwise an offence. Explain clearly citing law and illustrate. 4+12
9. What is culpable homicide? When does culpable homicide amount to murder and when does it not amount to murder? 4+12
10. Explain what constitute: 4x4
- a) Rape b) Bigamy c) Rash and negligent act
- d) Grievous hurt

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