

2017

## LAW

( Law of Evidence )

Paper No. 5:2

Full Marks : 100

Pass Marks : 40

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. Write short notes on *any four* of the followings- 4x5
  - a) Hostile witness
  - b) Ocular witness
  - c) Previous or subsequent conduct
  - d) Dying Declaration
  - e) Privilege Communication
  
2. Make a detailed study on the "*Statements by a person who cannot be called a witness*". 16
  
3. What is Estoppel? Discuss the law relating to Estoppel. 6+10
  
4. Examine the term "*competency to testify*". Discuss as to who is a competent witness. 6+10

*(Please turn over)*

5. What do you understand by Secondary Evidence under the Indian Evidence Act, 1872? Discuss the cases in which Secondary Evidence relating to document may be given. 6+10
6. What does "Burden of Proof" and "Onus of Proof" mean? How do they apply in Civil and Criminal Cases? 8+8
7. Write notes on the following: 8+8  
a) Facts which need not be proved  
b) Character when relevant
8. "Corroborative evidences are not admissible by themselves, but become admissible to corroborate or support substantive evidence already given". Explain and elaborate with illustrations. 16
9. What is an admission and who can make admission? Explain the rule that admission is not conclusive proof of the matters admitted but may operate as Estoppel. 16
10. State the facts and discuss the principles of law laid down in - 16

*Kujji*  
*Vs*  
*State of M.P*  
AIR 1991 SC 1853

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