

2018

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) Expert opinion
 - b) Relevancy of Judgment
 - c) Leading questions
 - d) Fact, Facts in Issue and Relevant Facts
 - e) Public documents
 - f) Accomplice

2. What is meant by Dying Declaration? Explain its Evidentiary value. 16

3. "Oral Evidence must in all the cases whatsoever be direct" Explain with exceptions. 16

4. Who are competent to testify under Indian Evidence Act? Examine the competence of the following persons as witnesses.

(i) Child witness	(ii) Dumb witness	16
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(Please turn over)

5. Explain the provisions of Indian Evidence Act relating to Burden of Proof. 16
6. Court may presume existence of certain facts. Discuss. 16
7. Explain "*Examination-in-Chief*", "*Cross-Examination*" and "*Re-examination*". 16
8. Distinguish between: 8x2
- a) Admission and Confession
 - b) Primary Evidence and Secondary Evidence
9. a) What are Privileged Communication? Explain. 10
- b) 'A' is charged with travelling in a railway without a ticket. 'A' denies the charge. On whom the burden of proof lies? 6
10. State the facts and discuss the principles of law laid down in – 16

Sharad
Vs
State of Maharashtra
AIR 1984 SC 1622

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