

2021**LAW****(Law of Evidence)**

Paper No. 5:2 (OLD COURSE)

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 on notes: (Any four) **4x5**
- Private evidence
 - Hearsay Evidence
 - Dumb witness
 - Induced Confession
 - Onus of proof
2. What is confession? Discuss various types of confession as the basis for conviction. **6+10**
3. What is privileged communication? When can privileged communication be claimed? **6+10**
4. Oral evidence must in all cases be direct. Explain and discuss the exception, if any, to the rule. **4+12**

5. Court may presume existence of certain facts. Explain. **16**
6. What do you know about Accomplice and an Approver? An Accomplice is a competent witness against an accused. However, corroboration as a rule of caution has been followed. Elucidate? **16**
7. Who is an expert as per provisions of the Evidence Act? When is the opinion as to existence of a right or custom relevant? Illustrate your answer with suitable example. **4+12**
8. What do you know about "cross-examination"? Explain the importance of "cross-examination". **6+10**
9. What do you understand by the term Burden of Proof? Explain the law relating to the burden of Proof? **6+10**
10. State the facts of the case and the principles of law laid down in the case of:- **16**

*Gurbachan Singh
Vs.
Satpal Singh
(1990) 1 SCC 445*

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(Please turn over)

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