

2024

LAW

(Law of Evidence)

Paper No. 5:2

DIMAPUR LIBRARY
Hill View Colony
Dimapur : Nagaland

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) Modus operandi
 - b) Plea of Alibi
 - c) Hearsay Evidence
 - d) Hostile witness
 - e) Estoppel

2. "All confessions are admissions but all admissions are not confessions". Elucidate with the help of appropriate case laws. 16

3. What is the justification for relevance of dying declaration?
How is the evidentiary value of dying declaration appreciated? 16

(Please turn over)

4. Explain when the opinion of experts is relevant. Cite suitable case laws. 16
5. Write notes on the following: 8+8
 - a) Public document and private document
 - b) Improper admission and Rejection of evidence
6. "Rules relating to presumption form a very important part of law of evidence". Discuss briefly with relation to the provisions of Indian Evidence Act 1872. 16
7. What do you understand by burden of proof? On whom does it lie and how does it shift? 16
8. Who can be witness? In a criminal trial. Mr. X is produced as a witness. Prosecution wishes to examine him relating to a fact which will necessarily expose him to a criminal charge. If Mr. X speaks the truth, can he be prosecuted? Discuss with the help of statutory provisions and judicial decisions. 16
9. Whether provision of S.154 of Indian Evidence Act make any distinction between a civil or a criminal case? At what stage of examination can the witness be cross-examined by the party who called him as witness? 16
10. State the facts of the case and the principles of law laid down in the case of – 16

Khujji
Vs
State MP
 AIR 1991 SC 1853

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