

APRIL 2022

LLB : 5-2/22

2022

(5th Semester)

LAW

Paper No. : 5:2

(**Law of Evidence**)

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* from the rest

1. Write notes on any *four* of the following :

5×4=20

- (a) Res gestae
- (b) Examination in chief
- (c) Facts which may not be proved
- (d) Hostile witness
- (e) Facts, facts in issue and relevant facts
- (f) Accomplice

2. (a) Discuss the relevance of facts showing preparation, motive and conduct. 10
- (b) What is confession? Discuss the evidentiary value of confession of coaccused. 6
3. (a) Discuss the concept of Dying Declaration. 10
- (b) Who is an expert? When does his opinion become relevant? 6
4. (a) What are leading questions? When can they be asked? 8
- (b) "Oral evidence must in all the cases whatever be direct." Explain with exceptions. 8
5. (a) Explain 'proved', 'disproved', 'not proved'. 8
- (b) Define admission and explain the relevancy of admissions in civil cases. 8
6. (a) Discuss the law relating to proof of public documents. 8
- (b) Who may testify? Whether can a dumb person be considered a competent witness? 8

7. Write notes on the following : 8+8=16
- (a) Exclusion of oral by documentary evidence
- (b) Relevancy of character evidence in civil and criminal cases
8. Distinguish between : 8+8=16
- (a) Estoppel and Res judicata
- (b) Primary evidence and Secondary evidence
9. Define burden of proof. On whom does it lie? Explain. 16
10. State the facts and discuss the principles of law laid down in—

Gurbachan Singh

vs

Satpal Singh

(1990) I SCC 445. 16
