



'समानो मन्त्रः समितिः समानी'

UNIVERSITY OF NORTH BENGAL
LL.B. (3 yr.) 4th Semester Examination, 2022

LAW OF EVIDENCE

PAPER CODE: CC15

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

The students are advised to follow the word limit mentioned below strictly while answering questions. The marks will be deducted if answers exceed word limit. 20 marks- not more than 2000 words / 15 marks- not more than 1500 words / 10 marks- not more than 1000 words / 5 marks- not more than 500 words

Answer Question No. 7 and any four questions from the rest

1. (a) What is meant by 'substantive law' and 'adjective law'? 4+8+8
(b) What kind of law is law of evidence?
(c) Discuss the aims and objectives of the Indian Evidence Act.
2. (a) 'Admissions cannot be proved by on behalf of the person who makes them.' 10+10
Explain with illustrations and give exceptions, if any.
(b) Differentiate between admission and confession.
3. (a) What do you mean by 'Dying Declaration'? 4+8+8
(b) Discuss the essentials of a valid 'Dying Declaration'.
(c) In a murder case the person attacked by the accused is unable to speak due to serious injuries and replies to the questions put to him through signs and gestures and dies. Will his replies amount to dying declation? Explain.
4. (a) What is a leading question? When can such question be asked? 10+10
(b) What is the importance of 'cross examination'? Distinguish among 'examination in chief', 'cross-examination' and 're-examination'.
5. (a) Explain 'burden of proof' and 'onus of proof' with decided case laws and illustrations. 10+10
(b) What do you mean by hearsay evidence? Is there any exception to the rule governing its admissibility?
6. (a) What is Estoppel? What is the evidentiary value of it? 10+10
(b) Distinguish between the presumption of law and presumption of facts.

7. Answer any *four* from the following:

5×4 = 20

- (a) Hostile witness
- (b) Plea of alibi
- (c) Opinion of expert
- (d) Res gestae
- (e) Test Identification Parade
- (f) Judgments of Court of justice, when relevant.

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