



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

LL.B. (3 yr.) 4th Semester Examination, 2023

LAW OF EVIDENCE

PAPER CODE: CC15

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

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

1. (a) How important is the opinion of experts as per Indian Evidence Act, 1872? 10+5+5
(b) Who is an expert in this regard?
(c) When can the court take these opinions?
2. (a) What is primary evidence and secondary evidence? 10+10
(b) How is documentary evidence admitted in the court of law?
3. What does Indian Evidence Act say about confession made before Police Officer? Can it be proved in any case? Is a relevant confession made under promise of secrecy irrelevant? 20
4. (a) What do you mean by dying declaration? 5+5+10
(b) In what form dying declaration be relevant?
(c) What are the legal maxims under which dying declaration are based?
5. (a) ‘X’ is accused of Y’s murder on a particular day at Pune. On that day ‘X’ was at Bombay, is relevant to prove alibi. He(X) has to prove that it would be impossible for him to commit murder at Pune as he was in Bombay on the occurrence of the Offence. 10+5+5
In context to above statement explain the plea of alibi.
(b) Is alibi an excuse or justification?
(c) What is the purpose of plea of alibi?
6. (a) What is doctrine of ‘res gestae’? 6+6+8
(b) Why is hearsay evidence not given credit in Indian Evidence Act?
(c) Why do you think ‘Res Gestae’ is an exception to this rule?

7. Write short notes on any **four**:

5×4 = 20

- (a) Fact
- (b) May presume
- (c) Shall presume
- (d) Conclusive proof
- (e) Burden of proof
- (f) Presumption as to Dowry Death.

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