2025

LAW

Law of Evidence

Paper - 901

Full Marks : 80 Time : 3 Hours

The figures in the right-hand margin indicate marks.

Candidates are required to give answers in their own words as far as practicable.

Answer **Q. No. 1** and any **five** from the rest:

1. Answer any **ten** questions : 2×10=20

a) Define fact.

b) Define proved, disproved and not proved.

c) What is meant by evidence under the BSA.

d) What is the rule in the evidence regarding relevancy of character of a person in a criminal case against him?

e) Define fact in issue.

f) What do you understand by privileged communication?

g) What do you mean by hostile witness?

h) What is secondary evidence?

i) What is a confession?

j) What is an admission?

k) What is burden of proof?

l) Who is a competent witness?

2. Distinguish between May presume, Shall presume and Conclusive Proof. Distinguish between Admission and Confession. 6+6=12

3. Explain the law relating to dying declaration under the BSA. What is its evidentiary value? Explain in details along with case laws. 4+8=12

4. Explain the doctrine of estoppel under the BSA. What are its essentials and exceptions? 4+4+4=12

5. What do you mean by the doctrine of plea of alibi? Explain the circumstances when the facts otherwise not relevant become relevant under the Bharatiya Sakshya Adhiniyam, 2023. 4+8=12

6. What is 'res gestae'? Define its scope under the Bharatiya Sakshya Adhiniyam, 2023. 4+8=12

7. What do you mean by primary evidence? Discuss the circumstances under which secondary evidence may be given. 4+8=12

8. Discuss the law relating to expert evidence under the Bharatiya Sakshya Adhiniam. What is the value of expert opinion? 6+6=12

9. Write short notes on (any **two**): 6×2=12

a) Refreshing of Memory.

b) Examination-in-chief, Cross-examination and Re-examination.

c) Accomplice witness.

d) Onus of proof.
