

2020**LAW****Law of Crimes-II (Criminal Procedure Code)****Paper : 404****[NEW SYLLABUS]**

Full Marks : 80

Time : 3 Hours

*The figures in the right-hand margin indicate full marks.**Candidates are required to give answers in their own words as far as practicable.*Answer **question no.1** and any **five** from the rest.1. Answer any **ten** questions: $2 \times 10 = 20$

- i) What do you mean by Remand?
- ii) What is the difference between police custody and judicial custody?
- iii) What is the difference between Warrant case and Summon Case?
- iv) What do you mean by Discharge and Acquittal?
- v) What is the difference between FIR and Complaint?
- vi) What do you mean by Trial?

[Turn over]

vii) What is the necessity to frame charge?

viii) What is the difference between Investigation and Inquiry?

ix) What is Police Report?

x) What are the differences between bailable offence and non-bailable offence?

xi) Who can claim maintenance under section 125 of the Code?

xii) What do you mean by Court of Session?

- 2. When a private person can arrest without warrant? What are the procedure of arrest and procedure of after-arrest? What is the procedure for holding test identification parade? $4+4+4=12$
- 3. When the Court can issue search warrant? What do you mean by transit remand? How the summon is served upon an accused person? $4+3+5=12$
- 4. Can the police register an FIR on the basis of a telephonic information disclosing the commission of cognizable offence? What is Zero FIR? When does police prepare inquest report in course of investigation? When does police cause the medical examination of a victim of rape? $4+4+4=12$

5. Can the Court of Session take cognizance of any offence as a Court of original jurisdiction? Discuss the procedure followed by the Court of Session to try any offence triable exclusively by such Court.
3+9=12
6. What do you mean by “Taking cognizance”? What procedure does any Magistrate follow on receipt of a complaint disclosing an offence? When a Court can take cognizance of an offence punishable under Section 498A IPC? 4+6+2=12
7. When Court can grant bail in case of non-bailable offence? What are the special powers of the Session Judge in granting bail? When the bail bond can be cancelled? 5+4+3=12
8. Discuss the relevant provision(s) which empower the victim to prefer an appeal against an order of conviction. State the circumstances in which no appeal lies before the Appellate Court. When the State Government can prefer an appeal against any sentence? 2+4+6=12
9. Discuss the classification, constitution, subordination and powers of Criminal Courts. How can the Public Prosecutor be appointed? Who is an Assistant Public Prosecutor? 6+4+2=12
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