

AKR/37/16

2016-17

LAW

FIRST PAPER

Full Marks : 200

Time : 3 hours

*The figures in the margin indicate full marks  
for the questions*

Answer any **four** questions (each within 250 words)  
from each Group

GROUP—A

1. Make an elaborative discussion on the right to private defence of property as provided under the Indian Penal Code with its limitations. 20
2. What do you mean by insanity? Explain the aspect of burden of proof in the context of plea of insanity. Trace out the differences between legal insanity and medical insanity. 5+10+5=20
3. What is 'defamation' under the Indian Penal Code? State the ingredients of the offence of defamation. Discuss the defences which are available in a charge of defamation. 5+5+10=20

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( Turn Over )

( 2 )

4. Distinguish between the following :  $10 \times 2 = 20$

(a) Criminal misappropriation of property and Criminal breach of trust

(b) Murder and Culpable homicide

5. Define unlawful assembly. Discuss the circumstances under which an unlawful assembly can be termed as 'riot'. Enumerate the differences between riot and affray.

$10 + 5 + 5 = 20$

6. What is grievous hurt? Enumerate the essential ingredients of grievous hurt. State the different kinds of grievous hurt with illustrations.

$5 + 5 + 10 = 20$

GROUP—B

7. Discuss the Constitution of Criminal Courts in India highlighting their relevant jurisdictions.

20

8. Enumerate the provisions as provided under the Code of Criminal Procedure for compelling a person to appear before the court. What is bond for appearance?

$15 + 5 = 20$

9. Define arrest. Make an elaborative discussion on the rights of an arrested person.

$5 + 15 = 20$

10. Discuss the meaning and importance of 'charge' in a criminal trial. Explain the procedure as laid down under the Criminal Procedure Code for alteration of a charge. 15+5=20
11. Distinguish between the following : 10×2=20
- (a) Reference and Revision
  - (b) Summons case and Warrant case
12. What is an appeal? When does an appeal lie to the Supreme Court, High Court and Sessions Court? Enumerate the circumstances under which an appeal in a criminal case cannot be filed. 5+10+5=20

Answer any *five* questions (each within 150 words) of the following :

13. Write short notes on any *two* of the following : 4×2=8
- (a) Public servant
  - (b) Joint liability
  - (c) Cognizable offence
  - (d) Mistake of law
14. Discuss and illustrate—"Nothing is an offence when done by a child". 8

15. State who are entitled to receive maintenance under the Code of Criminal Procedure, 1973. State under what circumstances an order of maintenance can be altered. 4+4=8
16. Define and distinguish between common intention and common object with illustrations. 8
17. Discuss the protections available for injury done in good faith for the benefit of the person. 8
18. Define the offence of sedition. State the punishments for the offence of sedition as provided under the Code of Criminal Procedure. 3+5=8
19. Discuss the powers of the police to investigate an offence. 8
20. What are the different kinds of bail? Enumerate the provisions under the Code of Criminal Procedure for the release of a person seeking anticipatory bail. 3+5=8

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