Assam Judicial Service Grade III Prelims 2023

Gauhati High Court · 21 May 2023 · 100 questions · 2 hours

1. Police remand under CrPC can be given for a maximum period of:
(A) 10 days
(B) 15 days
(C) 14 days
(D) None of the above

2. For an offence punishable upto 10 years imprisonment, the right to default bail U/S 167 CrPC ripens on the:
(A) 60th day
(B) 90 day
(C) 61st day
(D) None of the above

3. Statutory period U/S 167 CrPC is calculated from:
(A) date of first remand
(B) date of arrest
(C) date of jail custody
(D) None of the above

4. The case Priyanka Srivastava V. State of UP pertains to:
(A) Power of Magistrate in directing police investigation
(B) Sentence hearing
(C) Examination U/S 313 CrPC
(D) None of the above

5. In a case requiring prosecution sanction U/S 197 CrPC, cognizance can be taken:
(A) Without the sanction
(B) Only with the sanction
(C) Optional at the stage of cognizance
(D) None of the above

6. Under Section 30 CrPC, imprisonment in default of fine can be upto:
(A) one third of the prescribed sentence
(B) one-half of the prescribed sentence
(C) one fourth of the prescribed sentence
(D) None of the above

7. Section 235(2) CrPC pertains to:
(A) Sentence hearing
(B) Set Off
(C) Evidence in summons cases
(D) None of the above

8. Enquiry or investigation U/S 202 CrPC before issuing process where accused resides beyond the Magistrate's territorial jurisdiction is:
(A) Mandatory
(B) Discretionary
(C) Mandatory in case of certain offences only
(D) None of the above

9. U/S 216 CrPC, Court has the power to add or alter charge
(A) Only prior to examination U/S 313 CrPC
(B) Only prior to conclusion of arguments
(C) Before pronouncement of Judgment
(D) None of the above

10. In a summons case, the Magistrate —
(A) is empowered to discharge the accused
(B) is not empowered to discharge the accused
(C) is empowered only upon an application by accused
(D) None of the above

11. Section 34 IPC is a
(A) Substantive offence
(B) Procedure
(C) Rule of evidence
(D) None of the above

12. Which of the following penal provisions do not pertain to criminal vicarious liability
(A) Section 120 B IPC
(B) Section 34 IPC
(C) Section 149 IPC
(D) Section 511 IPC

13. A sentence for imprisonment for life is treated as-
(A) Rigorous imprisonment
(B) Simple imprisonment
(C) Partly rigorous partly simple imprisonment
(D) None of the above

14. Imprisonment in default of payment of fine is in the nature of-
(A) Sentence
(B) Penalty
(C) Both sentence and penalty
(D) None of the above

15. The entire law relating to private defence is codified

(A) Sections 90–95 IPC
(B) Sections 110–116 IPC
(C) Sections 96–106 IPC
(D) None of the above

16. A person can commit abetment of an offence by:

(A) Instigation
(B) Conspiracy
(C) Aid
(D) All the above

17. Find the odd man out of the following-

(A) Section 302 IPC
(B) Section 304 Part I of IPC
(C) Section 304 Part II of IPC
(D) Section 304 A of IPC

18. Which of the following are essential ingredients of the offence of theft-

(A) Dishonest intention
(B) Moving the property
(C) Both A) and B) above
(D) None of the above

19. The intention to cause death to constitute homicide can be discernible from —

(A) Nature of weapon
(B) Manner of assault
(C) Number of injuries
(D) All the above

20. Preparation of offence is also punishable under IPC in case of —

(A) Theft
(B) Dacoity
(C) Murder
(D) Rape

21. Under Section 118 of Indian Evidence Act, 1872 who amongst the following is/are competent witness-

(A) Accused
(B) Child
(C) Lunatic
(D) All the above

22. Which of the following can be aspects of circumstantial evidence-

(A) Motive
(B) Last seen together
(C) Alibi
(D) All the above

23. 'A' is charged with travelling on a railway without a ticket. The burden of proving that he had a ticket is on-

(A) 'A' himself
(B) Railway
(C) Both (A) and (B)
(D) None of the above

24. For conviction in a murder case, recovery of dead body is-

(A) Essential
(B) Not essential
(C) Information not adequate
(D) Conditional

25. Conviction can be based on the testimony of a single witness also. This principle is incorporated in the following provision of Indian Evidence Act, 1872-

(A) Section 133
(B) Section 134
(C) Section 119
(D) None of the above

26. Punishment in criminal cases is-

(A) Punitive
(B) Reformative
(C) Both Punitive and reformative
(D) None of the above

27. What is the evidentiary value of a hostile witness-

(A) cannot be relied upon
(B) can be relied upon
(C) can be relied upon to the extent it supports prosecution case
(D) None of the above

28. Which of the following statement is correct-

(A) Admission is conclusive proof of matter admitted
(B) Admission is not conclusive proof of matter admitted
(C) Admission is not conclusive proof of matter admitted though it may sometimes operate as estoppel in circumstances.
(D) None of the above

29. The essential ingredients of section 27 Evidence Act are-

(A) Person accused of an offence
(B) Person in custody of a police officer
(C) Fact discovered pursuant to information given by such person
(D) All of the above

30. Tahsildar Singh V. State of U.P. is a leading case of the Supreme Court on-

(A) Hostile witness
(B) Accomplice evidence
(C) Proving contradictions under Section 145 of Evidence Act
(D) Confession

31. Article 21 of the Constitution encompasses-

(A) Right to Life
(B) Right to fair trial
(C) Right to fair investigation
(D) All of the above

32. Number of years of Judicial Service necessary to be eligible for appointment as High Court Judge-

(A) 25 years
(B) 20 years
(C) 15 years
(D) 10 years

33. "Arbitariness is the anti thesis of equality." This principle is incorporated in the following article of the Constitution of India.

(A) Article 14
(B) Article 21
(C) Article 13
(D) Article 22

34. Judicial Review powers can be exercised under-

(A) Article 32 of the Constitution
(B) Article 226 of the Constitution
(C) Both (A) and (B)
(D) None of the Above

35. The term 'Fraternity' in the Preamble of the Indian Constitution means a sense of-

(A) Friendliness
(B) Statehood
(C) Brotherhood
(D) Love and Affection

36. The doctrine of double jeopardy under the constitution means-

(A) No one can be tried and punished more than once for the same offence.
(B) One can be tried more than once but punished only once.
(C) One can be tried and punished more than once
(D) One cannot be punished for an offence which did not exist at the time of the act.

37. Under the Transfer of Property Act-

(A) The salary of a Public Officer can be transferred
(B) The salary of a Public Officer cannot be transferred
(C) No such provision is found in the Act
(D) None of the above

38. Section 53-A of the Transfer of Property Act deals with-

(A) Lis Pendens
(B) Part Performance
(C) Mesne Profit
(D) Actionable claim

39. Under the Transfer of Property Act, Rules against Perpetuity has been codified in-

(A) Section 17
(B) Section 16
(C) Section 15
(D) Section 14

40. Section 123 of the Transfer of Property Act is not applicable to-

(A) Christians
(B) Buddhists
(C) Jains
(D) Muslims

41. Which of the following can be transferred under the provisions of the Transfer of Property Act?

(A) The right to mesne profits
(B) A decree for mesne profits
(C) A transfer of Property to a concubine for future co-habitation
(D) A sub lease of a farm for the retail sale of opium.

42. Charge under the Transfer of Property Act can be created by-

(A) Act of parties
(B) Operation of Law
(C) Both (A) and (B)
(D) Neither (A) nor (B)

43. Under the provisions of Section 60 A of the Transfer of Property Act, where a mortgagor is entitled to redemption, he may require the mortgagee, instead of re-transfering the property, to assign the mortgage debt and transfer the mortgaged property to such third person as the mortgagor may direct, then the mortgagor-

(A) Is not bound to assign and transfer accordingly
(B) Is bound to assign and transfer accordingly.
(C) Is bound if the mortgagor assents
(D) None of the above.

44. A gift of immovable property effected by a deed of gift but brought about by undue influence of the donee, though the donor acted voluntarily in making it:

(A) Is void
(B) Is valid and binding
(C) Is voidable at the donee's option
(D) Is voidable at the option of donor

45. The Transfer of Property Act was enacted in the Year-

(A) 1880
(B) 1881
(C) 1882
(D) None of the above

46. According to the Transfer of Property Act-

(A) Instrument means a non-testamentary instrument
(B) Testamentary instrument
(C) Both testamentary and non-testamentary instrument.
(D) None of the above

47. The word 'resides' used in section 19 of the Code of Civil Procedure, 1908 is used for:

(A) Natural persons
(B) Companies
(C) Tort
(D) None of the above

48. Bar to further suit is dealt with under the following provision of the Code of Civil Procedure, 1908:

(A) Section 11
(B) Section 12
(C) Section 13
(D) None of the above

49. In execution of a decree for maintenance, salary of a person can be affected to the extent of-

(A) One-fourth
(B) One-third
(C) Two-third
(D) One-half

50. In every plaint under Section 26 CPC, facts be proved by-

(A) Oral evidence
(B) Affidavit
(C) Document
(D) Oral evidence and document

51. No suit against the Government or Public Officer shall be instituted until expiration of ..... period next after notice in writing has been delivered-

(A) One month
(B) Two months
(C) 15 days
(D) 90 days

52. An executing Court can-

(A) Modify terms of the decree
(B) Vary the terms of the decree
(C) Modify and vary the terms of the decree
(D) Neither modify nor vary the terms of the decree

53. A 'garnishee' is a-

(A) Judgment debtor
(B) Judgment debtor's debtor
(C) Judgment debtor's creditor
(D) None of the above

54. Section 21 of CPC cures-

(A) Want of subject matter jurisdiction
(B) Want of pecuniary jurisdiction
(C) Want of territorial jurisdiction
(D) Both (B) and (C)

55. The following provision of Code of Civil Procedure, 1908 deals with the consequences of disobedience of an injunction granted by the Court-

(A) Order 39, Rule 1
(B) Order 39, Rule 2-A
(C) Order 39, Rule 2
(D) Order 39, Rule 3

56. Jurisdiction of a Court refers to the power or the extent of the authority of the Court to administer justice with reference to-

(A) Local limits
(B) Subject matter of litigation
(C) Pecuniary value
(D) All of the above

57. 'C' rents out a music hall to 'X' for a series of music concerts for certain days. The hall gets completely destroyed by fire before the scheduled date of concerts. In this cases-

(A) 'C' cannot be discharged from performance of Contract
(B) Contract becomes voidable at the option of X
(C) The contract is discharged by impossibility of performance
(D) The contract is void ab initio.

58. A counter offer is-

(A) An invitation to an offer
(B) An acceptance of the offer
(C) A rejection of original offer
(D) Bargain

59. An agreement not to pursue legal remedy but to refer the dispute to arbitrator U/S 28 of Indian Contract Act, 1872-

(A) Void
(B) Voidable
(C) Valid
(D) None of the above

60. The rules laid down in case of MC Mehta V. Union of India (Oleum Gas leak case) is-

(A) Identical with the Rule of Strict Liability in Rylands v. Fletcher
(B) More liberal than rules in Rylands v. Fletcher
(C) More stringent than rules in Rylands v. Fletcher
(D) Totally unconnected with the rules in Rylands v. Fletcher

61. Who amongst the following persons was not a former Chief Justice of Gauhati High Court-

(A) Justice Sudhanshu Dhulia
(B) Justice RM Chhaya
(C) Justice Muralidhar
(D) Justice Ajit Singh

62. Which Bollywood movie was made on the theme of 'grave and sudden provocation'.

(A) Badla
(B) Rustom
(C) Talaash
(D) None of the above

63. Jacob Mathew v. State of Punjab is a leading case of Supreme Court on the subject of —

(A) Police Encounter
(B) Public Service
(C) Medical Negligence
(D) None of the above

64. In the case of Mahender Chawla v. Union of India, the Supreme Court issued important directions on the subject of-

(A) Witness Protection
(B) Arrest
(C) Registration of FIR
(D) None of the above

65. The famous Judge who was associated with the Habeas Corpus case was-

(A) Justice Dalveer Bhandari
(B) Justice RM Lodha
(C) Justice Hans Raj Khanna
(D) None of the above

66. The book 'Before Memory Fades' has been written by-

(A) Harish Salve
(B) Soli Sorabjee
(C) Shanti Bhusan
(D) Fali S Nariman

67. The National Investigation Agency (NIA) was established by Govt. of India to investigate —

(A) Terrorism related crimes
(B) Corruption cases
(C) Drugs related cases
(D) All of the above

68. The object of the following writ is to prevent a person to hold Public Office which he is not legally entitled to hold-
(A) Mandamus
(B) Certiorari
(C) Quo warranto
(D) Prohibition

69. Election Commision is a —
(A) Constitutional Body
(B) Political Body
(C) Quasi-Judicial and Quasi political body
(D) Judicial Body

70. World Consumer rights day is on-
(A) 5th June
(B) 15th March
(C) 10th April
(D) 15 September

71. Doctor is related to diagnosis in the same way as Judge is related to-
(A) Court
(B) Punishment
(C) Lawyer
(D) Judgment

72. Constitution is to amendment as book is to —
(A) Errata
(B) Contents
(C) Preface
(D) Acknowledgment

73. An 'encumbrance' in legal parlance is a —
(A) Grant of property
(B) Gift of property
(C) Restriction on property
(D) Liability on property

74. In a certain language MADRAS is coded as NBESBT, than how is BOMBAY coded in that language-
(A) CPNCBX
(B) CPNCBZ
(C) CPOCBZ
(D) None of the above

75. Doli Incapax implies-
(A) Incapable of crime
(B) New decision
(C) Immatured Act
(D) None of the above

76. Judges of the High court are appointed by —
(A) Chief Justice of India
(B) Chief Justice of the High Court
(C) President of India
(D) Prime Minister

77. Arun said "this girl is the wife of the son of the only child of my mother". Who is Arun to the girl?
(A) Father
(B) Grandfather
(C) Husband
(D) Father-in-law

78. Your conduct smacks ..... recklessness.
(A) Of
(B) with
(C) from
(D) in

79. Choose the correctly spelt word-
(A) Exagerate
(B) Exedgerate
(C) Exaggerate
(D) Exeggerate

80. Choose the wrongly spelt word-
(A) Illegal
(B) Illitrate
(C) Illegitimate
(D) Illegible

81. "Subpoena" means-
(A) Under judicial consideration
(B) To maintain present state of affairs
(C) An order of a Court to a person to appear and give evidence before it.
(D) Minimum of persons necessary for conduct of Parliament proceedings

82. The Judge disposed ..... the matter within a short period
(A) Off
(B) Of
(C) With
(D) Nil

83. Which of the following is always found in 'Bravery'?
(A) Courage
(B) Experience
(C) Power
(D) Knowledge

84. Statement- All terrorists are guilty. All terrorists are criminals. Therefore, conclusion is-

(A) Either all criminals are guilty or all guilty are criminals.
(B) Some guilty persons are criminals.
(C) Generally criminals are guilty.
(D) Crime and guilt go together.

85. Statement- Some bottles are drinks. All drinks are cups. Therefore, conclusion is-

(A) Some bottles are cups
(B) Some cups are drinks
(C) All drinks are bottles
(D) Both (A) and (B)

86. If misdemeanor: Felony, then-

(A) Mishap : Catastrophe
(B) Crime: Degree
(C) Thief: Burglar
(D) Police: Prison

87. If Lawyer : Litigation, then-

(A) Lexicographer: Copy
(B) Marauder: Pillage
(C) Harbinger: Mask
(D) Director: Board

88. If Preamble : Constitution, then

(A) Word: Dictionary
(B) Contents: Magazine
(C) Explanation: Poetry
(D) Preface: Book

89. {Majlis: Diet: Knessat}. What do these have in common?

(A) These are foreign languages
(B) These are Parliaments of Countries
(C) These are names of foods eaten in different countries
(D) These are old names of certain Countries

90. The President of USA has the following term limits-

(A) Two 5 year terms
(B) Two 4 year terms
(C) Single 4 year term
(D) No term limit

91. পিতলৰ বাচন-বৰ্তন আদি গঢ়া লোকক কোৱা হয়-

(A) সোনাৰী
(B) মূদৈ
(C) ঠঠাৰি
(D) মৰীয়া

92. কোন কবিয়ে ভাগৱত অসমীয়ালৈ অনুবাদ কৰিছিল?

(A) শংকৰদেৱ
(B) মাধৱদেৱ
(C) হেমচন্দ্ৰ বৰুৱা
(D) ৰঘুদেৱ নাৰায়ণ

93. কোনজন অসমীয়া কবি অসমৰ "ৱৰ্ডছৱৰ্থ" (Wordsworth) ৰূপে পৰিচিত?

(A) হিতেশ্বৰ বৰুৱা
(B) ৰঘুনাথ চৌধুৰী
(C) দুৰ্গেশ্বৰ শৰ্মা
(D) জ্যোতি প্ৰসাদ আগৰৱালা

94. 'দতাঁল' শব্দৰ স্ত্ৰীলিংগ কি?

(A) দাঁতলি
(B) দতাঁলি
(C) মাখুলী
(D) জাঁই

95. হৰ্ষ শব্দৰ বিপৰীত অৰ্থ কি?

(A) নিকৃষ্ট
(B) সংকীৰ্ণ
(C) বিষাদ
(D) বিসৰ্জন

96. তলৰ কোনটো শব্দ 'আকাশ' শব্দৰ সমাৰ্থক শব্দ নহয়-

(A) নীলিমা
(B) ব্যোম
(C) গগন
(D) ৰজনী

97. 'নমস্কাৰ' শব্দৰ সন্ধি ভাঙিলে তলৰ কোনটো শুদ্ধ হ'ব-

(A) নমঃ + কাৰ
(B) ন + মস্কাৰ
(C) নম + স্কাৰ
(D) নম + ষ্কাৰ

98. 'Advocate' শব্দটোৰ অসমীয়া কি?

(A) অধিবক্তা
(B) বিষয়া
(C) অধিকাৰী
(D) প্ৰাধিকাৰী

99. 'আলাসৰ লাডু' মানে কি?

(A) থিতাপি নোহোৱা
(B) অতি মৰমৰ
(C) অশলাগী লোক
(D) ধুনীয়া

100. 'ধৰণী' শব্দৰ সমাৰ্থক শব্দ হ'ল-

(A) অভিলাষা
(B) নিশি
(C) কুসুম
(D) মেদিনী