Bihar Judicial Service (Mains) 2011

Law of Evidence and Procedure · compulsory paper

1. (a) Mention the persons entitled to exemption from personal appearance in court under the Civil Procedure Code.
(b) Explain the provisions relating to exemption from arrest under the Civil Procedure Code.

2. (a) Explain the meaning of the following: (i) Decree; (ii) Legal representative; (iii) Public officer.
(b) What are the provisions under the Civil Procedure Code relating to suits by or against government?

3. (a) Write note on the following: [items not given in the source copy]
(b) What remedies are available for setting aside ex parte decree?

4. Write note on: (i) Estoppel; (ii) Conclusive proof; (iii) Cross-examination; (iv) Circumstantial evidence.

5. (a) Explain the meaning of: (i) Proved; (ii) Disproved; (iii) Not proved.
(b) Explain an accomplice. How far and to what extent the testimony of an accomplice can be relied upon?

6. Explain the provisions relating to disputes which can be referred to arbitration.

7. What are the powers of court for granting interim relief to the parties in respect of arbitration?

8. (a) Explain the grounds on which the appointment of an arbitrator may be challenged.
(b) Under what circumstances an arbitral award may be set aside by the Court?

9. (a) "Bail can only be a matter of discretion if the offence is non-bailable and the scope of discretion depends upon various considerations." Discuss.
(b) When can the Magistrate cancel the order of interim maintenance to wife?

10. (a) When can police arrest a person without warrant?
(b) What are the guidelines laid down by the Supreme Court for police while arresting a judicial person?