Jharkhand Civil Judge (Preliminary) 2014

Jharkhand Public Service Commission · Civil Judge (Junior Division) Preliminary Test (Advt. 04/2013, held 27 April 2014) · 100 questions

Preliminary Examination

1. From the following words, the misspelt word is
   (A) Relinquish
   (B) Illuminant
   (C) Exodes
   (D) Dependency

2. 'Gynaephobia' stands for
   (A) fear of woman
   (B) fear of sex
   (C) fear of chins
   (D) fear of marriage

3. The word which is most opposite in meaning to the word 'Random' is
   (A) Accidental
   (B) Haphazard
   (C) Incidental
   (D) Deliberate

4. Find the odd word out :
   (A) Peripheral
   (B) Necessary
   (C) Fundamental
   (D) Essential

5. One who walks in sleep is
   (A) hypocrite
   (B) imposter
   (C) somnambulist
   (D) sarcastic

6. Choose the tense form of the following sentence : I was standing outside the post office.
   (A) Present continuous tense
   (B) Past continuous tense
   (C) Past simple tense
   (D) Past Perfect tense

7. I am trying to phone her, but I can't
   (A) get up
   (B) get through
   (C) get on
   (D) get away

8. Which of the following is the sentence with coordinating conjunction?
   (A) He held my hand lest I should fall.
   (B) He is slow but he is honest.
   (C) Rama will go if Hari goes.
   (D) A book is a book although there is nothing in it.

9. The word which is most similar in meaning to the word 'Thrashing' is
   (A) Garbage
   (B) Beating
   (C) Shouting
   (D) Warning

10. The group of words which is most similar in meaning to the word 'Vanished' is
   (A) Gone missing
   (B) Was found
   (C) Was killed
   (D) Was left behind

11. In which State the first 'Lok-Ayukt' was appointed?
   (A) Rajasthan
   (B) Maharashtra
   (C) Gujarat
   (D) Uttaranchal

12. International Workers Day is observed on
   (A) 15th April
   (B) 12th December
   (C) 1st May
   (D) 1st August

13. The ratio of width of our National Flag to its length is
   (A) 1:2
   (B) 2:3
   (C) 3:2
   (D) 7:9

14. 'Law Day' is celebrated in India on which one of the following dates?
(A) 15th August
(B) 26th January
(C) 26th December
(D) 26th November

15. The State of Jharkhand was established on
(A) 15th November, 2000
(B) 16th November, 2000
(C) 15th December, 2000
(D) 16th December, 2000

16. On the basis of area, the largest State in India is
(A) Rajasthan
(B) Madhya Pradesh
(C) Uttar Pradesh
(D) Maharashtra

17. 'joule' is the unit of
(A) temperature
(B) pressure
(C) energy
(D) heat

18. Antibiotics
(A) prevents pain
(B) destroys body germs quickly
(C) does not prevent germs from growing
(D) Both (B) and (C)

19. Where did Akbar born?
(A) Delhi
(B) Lahore
(C) Agra
(D) Amarkot

20. The Tax Reform Commission was set up by the
(A) Planning Commission
(B) Prime Minister
(C) Ministry of Finance
(D) Interstate Council

21. During proceeding for execution of a decree, if a question arises as to whether any person is or is not the representative of a party, such question shall be determined by
(A) the court which passed the decree
(B) the court executing the decree
(C) the Appellate Court
(D) a separate suit

22. In execution of a decree, other than a decree for maintenance, passed against A, what shall be the attachable portion, if his salary is ₹ 10,000 per month?
(A) ₹ 3,333
(B) ₹ 5,000
(C) ₹ 3,000
(D) ₹ 6,666

23. In an 'interpleader suit', there
(A) are several claimants claiming the property adverse to each other
(B) is only one claimant claiming the property against the other
(C) are several claimants claiming the property under common interest of all
(D) None of the above

24. The court cannot order execution of a decree as per Section 51 of CPC, in which of the following ways?
(A) By delivery of any property specifically decreed
(B) By attachment and sale of property
(C) By serving summons on the party
(D) By appointing a receiver

25. If the appellant withdraws the appeal preferred against a decree passed ex parte, the application under Order 9, Rule 13 of CPC shall be
(A) rejected
(B) returned
(C) maintainable
(D) referred for opinion of the Appellate Court

26. Where a suit is abated or dismissed under Order 22 of CPC on the same cause of action
(A) new suit may be instituted with the consent of parties
(B) fresh suit may be filed with prior permission of the court
(C) no fresh suit shall be brought
(D) new suit may be filed if sufficient cause is shown

27. Which of the following is not correct regarding the powers of the Appellate Court?
(A) Appellate Court has power to determine a case finally
(B) Appellate Court has power to remand the case
(C) Appellate Court has no power to take additional evidence
(D) Appellate Court has power to frame issue and refer them for trial

28. Period of detention in civil imprisonment, as a consequence of disobedience or breach of any injunction, shall not exceed

(A) one month
(B) three months
(C) six months
(D) one year

29. If a party who has obtained an order to amend the pleadings under CPC, if not amended, after expiration of how many days shall not be permitted to amend the same without the leave of the court?

(A) 15 days
(B) 90 days
(C) 14 days
(D) 30 days

30. Where party dies after conclusion of the hearing and before pronouncing of judgement

(A) the suit shall abate
(B) the suit shall not abate
(C) the suit shall not abate if cause of action survives
(D) it will be deemed that judgement has been pronounced before death of the party

31. An application for revision under CPC is filed under

(A) Section 114
(B) Section 115
(C) Section 116
(D) Section 113

32. Before filing a suit against government under Section 80 of CPC it requires a notice to be given to the government of

(A) 60 days
(B) 30 days
(C) 90 days
(D) 14 days

33. Exemption from personal appearance in the court is provided under

(A) Section 133 of CPC
(B) Section 132 of CPC
(C) Section 143 of CPC
(D) Section 142 of CPC

34. A suit in respect of public charities is provided under

(A) Section 92 of CPC
(B) Section 41 of CPC
(C) Section 100 of CPC
(D) Section 105 of CPC

35. Suit of indigent persons has been provided under

(A) Order 32 of CPC
(B) Order 33 of CPC
(C) Order 29 of CPC
(D) Order 34 of CPC

36. The provision in respect of summary procedure has been laid down under

(A) Order 37 of CPC
(B) Order 36 of CPC
(C) Order 38 of CPC
(D) Order 40 of CPC

37. Under Section 37 of Code of Criminal Procedure every person is bound to assist a Magistrate or a Police Officer

(A) in the taking or preventing the escape of any other person whom such Magistrate or Police Officer is authorized to arrest
(B) in the prevention or suppression of a breach of peace
(C) in the prevention of any injury attempted to be committed to railways
(D) All of the above

38. In a cognizable case under Indian Penal Code, the police will have all the powers to investigate

(A) except the power to arrest without warrant
(B) including the power to arrest without warrant
(C) and arrest without warrant, only after seeking permission from the Magistrate
(D) and arrest without warrant, only after informing the Magistrate having jurisdiction to inquire into or try the offence

39. For the purpose of taking cognizance of an offence what period of limitation is prescribed by the court for an offence carrying punishment not exceeding one year?

(A) 3 months
(B) 6 months
(C) 1 year
(D) 3 years

40. What is the maximum period an Executive Magistrate may authorize the detention of an accused in custody?

(A) Not exceeding 24 hours
(B) Not exceeding 3 days
(C) Not exceeding 7 days
(D) Not exceeding 15 days

41. Who is not entitled to any maintenance under Chapter IX of CrPC?

(A) Divorced wife
(B) Judicially separated wife
(C) Illegitimate child
(D) Physically and mentally able adult son

42. How long a warrant of arrest shall remain in force?

(A) 6 years
(B) 10 years
(C) 12 years
(D) Until executed or cancelled

43. What is the time limit prescribed within which claims and objections to attachment to be made under CrPC?

(A) 6 months
(B) 60 days
(C) 1 year
(D) 3 years

44. Under what appropriate Section, a Magistrate may issue an order of injunction?

(A) Section 133
(B) Section 142
(C) Section 144
(D) Section 145

45. Under what Section of CrPC a Magistrate may direct local investigation?

(A) Section 139
(B) Section 133
(C) Section 145
(D) Section 147

46. Who among the following may ask for security for keeping peace on conviction?

(A) Subdivisional Magistrate
(B) District Magistrate
(C) Executive Magistrate
(D) First Class Judicial Magistrate

47. What is the maximum period, under Section 110 of CrPC, for furnishing security prescribed for keeping good behaviour?

(A) 6 months
(B) 1 year
(C) 2 years
(D) 3 years

48. A confession made under Section 164 of the Criminal Procedure Code of 1973 can be recorded by a Magistrate, during the course of

(A) a trial
(B) an investigation
(C) a trial or an investigation
(D) investigation, but before the commencement of inquiry or trial

49. Trial commences in warrant cases instituted on police report

(A) with the issuance of process against accused person
(B) with the submission of police report
(C) on the framing of formal charge
(D) on the appearance of the accused in obedience to the process issued by the court

50. Which of the following statements need not be signed by the maker?

(A) Statement u/s 313 of CrPC
(B) Statement u/s 164 of CrPC
(C) Statement u/s 161 of CrPC
(D) Statement (Confession) by accused u/s 164 of CrPC

51. Under which Section of law, the Magistrate has power to issue 'commission' for examination of witnesses in prison?

(A) Section 270
(B) Section 271
(C) Section 272
(D) Section 273

52. Under which Section of law the court has provision to direct tender of pardon to the accused before pronouncement of judgement?

(A) Section 306
(B) Section 307
(C) Section 301
(D) Section 310

53. If question asked to witness to any matter relevant to the matter in issue and the answer given by witness to such question will criminate him, then

(A) the witness shall be compelled to answer such question
(B) the witness shall not be compelled to answer such question
(C) court may presume
(D) None of the above

54. 'Estoppel' has been defined under

(A) Section 115
(B) Section 114
(C) Section 117
(D) Section 130

55. The presumption of legitimacy under Section 112 is

(A) presumption of law
(B) presumption of fact
(C) mixed presumption of law and fact
(D) None of the above

56. A witness may, while under examination, refresh his memory by referring to any writing made by himself at the time of the transaction or soon afterwards. This provision is provided under

(A) Section 159
(B) Section 160
(C) Section 158
(D) Section 166

57. Leading question has been defined under the Indian Evidence Act, 1872 under

(A) Section 141
(B) Section 142
(C) Section 143
(D) Section 145

58. Under which Section of the Indian Evidence Act, 1872, a public servant shall not be compelled to disclose communication made to him in official confidence?

(A) Section 123
(B) Section 124
(C) Section 125
(D) Section 126

59. A is charged with travelling in a railway without a ticket. The burden of proving that he had a ticket, is

(A) on prosecution
(B) on accused
(C) Neither on prosecution nor on accused
(D) None of the above

60. In respect of a certified copy, thirty years old, which fulfills all the conditions laid under Section 90 of the Indian Evidence Act, the court

(A) shall presume
(B) may presume
(C) will not presume
(D) None of the above

61. A certified copy of a registered sale deed produced in evidence

(A) will be proof of execution of the original and its registration
(B) will be proof of execution only
(C) will be merely proof of the fact that an original document was registered
(D) will not prove anything in absence of original

62. Confession of one accused is admissible evidence against co-accused, if they are tried

(A) jointly for the same offence
(B) jointly for different offences
(C) for the same offence but not jointly
(D) for different offences and not jointly

63. For the purpose of proving a registered 'Will', it shall be necessary to call

(A) all the attesting witnesses
(B) one attesting witness at least
(C) one attesting witness and the scriber of the Will
(D) one attesting witness and the registering officer

64. In the Evidence Act, the conditions in respect of computer output to be deemed and admissible in evidence as document is contained in

(A) Section 65(B)(4)
(B) Section 65(B)(1)
(C) Section 65(B)(2)
(D) Section 65(B)(5)

65. Which of the following is correct in respect of determining the date of birth of A?

(A) A letter from A's deceased father to a friend, announcing the birth of A is a relevant fact
(B) A letter from A's deceased father to a friend, announcing the birth of A is not a relevant fact
(C) a letter from A's deceased father to a friend, announcing the birth of A is not admissible in evidence
(D) None of the above

66. Which of the following is required to be proved essentially?

(A) Judicial notice
(B) Admitted fact
(C) Confession
(D) Relevant fact

67. Opinions of experts are not relevant

(A) upon a point of science
(B) upon a point of art
(C) upon a point of domestic law
(D) as to identity of handwriting

68. Which of the following Sections provides that evidence may be given of facts in issue?

(A) Section 3
(B) Section 4
(C) Section 5
(D) Section 6

69. Which one of the following is not essential for a consideration?

(A) It must be given at the desire of the promisor
(B) Valuable
(C) Lawful
(D) Adequate

70. The provisions relating to contingent contract under the Indian Contract Act, 1872 is laid down under

(A) Sections 31 to 37
(B) Sections 32 to 37
(C) Sections 31 to 36
(D) Sections 30 to 36

71. The intimation under Section 59 of the Indian Contract Act, 1872

(A) must be implied
(B) must be expressed
(C) may be either expressed or implied
(D) None of the above

72. A tender in a newspaper is

(A) invitation to offer
(B) promise
(C) offer
(D) invitation for acceptance

73. Every promise and every set of promises forming the consideration for each other is

(A) an agreement
(B) an acceptance
(C) an offer
(D) a contract

74. A agrees with B to discover treasure by magic. The agreement is

(A) voidable
(B) void
(C) wrongful
(D) enforceable

75. Which of the following Sections of the Indian Contract Act, 1872 defines 'Contract'?

(A) Section 2(h)
(B) Section 2(f)
(C) Section 2(d)
(D) Section 2(a)

76. Which of the following Sections of the Indian Contract Act, 1872 defines 'Consideration'?

(A) Section 2(a)
(B) Section 2(b)
(C) Section 2(c)
(D) Section 2(d)

77. "An agreement without consideration is void." Which Section of the Indian Contract Act, 1872 lays down this provision?

(A) Section 23
(B) Section 2(d)
(C) Section 10
(D) Section 25(1)

78. The nature of an agreement made under the provisions of Section 20 of the Indian Contract Act, 1872 would be

(A) valid
(B) void
(C) invalid
(D) voidable

79. "The liability of the surety is coextensive with that of the principal debtor." It has been provided under

(A) Section 126
(B) Section 127
(C) Section 128
(D) Section 130

80. 'An agreement to do an act impossible' is provided in the Indian Contract Act under

(A) Section 39
(B) Section 50
(C) Section 56
(D) Section 55

81. A 'contract of pledge' is a contract of

(A) indemnity
(B) guarantee
(C) bailment
(D) agency

82. In kidnapping, consent of minor is

(A) wholly immaterial
(B) partly immaterial
(C) wholly material
(D) partly material

83. A, who deals only in coconut oil, enters into an agreement with B to sell 50 tons of oil. The agreement is

(A) enforceable by law
(B) void due to uncertainty
(C) voidable due to uncertainty
(D) None of the above

84. B is the wife of A. A during the lifetime of B and with her consent makes an agreement with C to marry her (C). The agreement is

(A) void
(B) voidable
(C) valid
(D) None of the above

85. A finds the key of B's house door, which B had lost, and commits house trespass by entering B's house, having opened the door with that key. A has committed the offence of

(A) lurking house trespass
(B) criminal misappropriation
(C) attempt to theft
(D) housebreaking

86. What punishment may be awarded to the person whose act is covered under general exceptions of Chapter IV of IPC?

(A) No punishment
(B) Half of the punishment prescribed for that offence
(C) One fourth of the punishment prescribed for that offence
(D) Depends upon discretion of the court

87. In which of the following landmark cases, a three-judge bench of the Supreme Court prescribed four-point test relating to Section 300, thirdly, of IPC?

(A) Virsa Singh vs. State of Punjab; AIR 1958, SC 465
(B) States of UP vs. Ramesh Prasad Mishra; (1996) 10, SCC 360
(C) K. M. Nanavati vs. State of Maharashtra; AIR 1962, SC 605
(D) Nehru @ Jawahar vs. State; AIR 2008, SC 2574

88. Inducing a person with dishonest intention to part with his property by putting him in fear of physical injury amounts to an offence of

(A) theft
(B) criminal misappropriation
(C) extortion
(D) criminal intimidation

89. A sees B drowning in the river, but does not save him. B is drowned. A has committed

(A) the offence of murder
(B) the offence of abetment of suicide
(C) the offence of culpable homicide not amounting to murder
(D) no offence

90. 'Common intention' signifies

(A) similar intention
(B) prearranged planning
(C) presence of common knowledge
(D) common design for common objects

91. A, knowing that B has murdered Z, assists B to hide the body with the intention of screening B from punishment: A is liable to

(A) imprisonment of either description for seven years and to fine also
(B) imprisonment for life
(C) death sentence
(D) fine only

92. A is the paramour of Z's wife. She gives a valuable property to A, which A knows to belong to Z, and A takes it dishonestly, without any authority of Z to give away. A has committed

(A) the offence of theft
(B) the offence of cheating
(C) the offence of extortion
(D) no offence

93. Which of the following is not an essential element of theft?

(A) Dishonest intention
(B) Removal from possession
(C) Immovable property
(D) Without consent of the person in possession

94. For the offence of abduction of person, abducted must be

(A) minor
(B) major
(C) minor or major
(D) None of the above

95. Which of the following is not an essential element for the offence of kidnapping?

(A) Minor
(B) Intention of the accused
(C) Without the consent of lawful guardian
(D) Beyond the control of lawful guardian

96. Under IPC, attempt to commit dacoity is punished under

(A) Section 393
(B) Section 394
(C) Section 395
(D) Section 396

97. In which of the following cases it is settled that death sentence should be awarded only in the 'rarest of rare' cases?

(A) R vs. Govinda
(B) Hussainara vs. State of Bihar
(C) Bachan Singh vs. State of Punjab
(D) Sunil Batra vs. Delhi Administration

98. In which one of the following circumstances, the right of private defence of the body extends to causing death?

(A) Reasonable apprehension to cause simple hurt
(B) Reasonable apprehension to cause simple theft
(C) Reasonable apprehension of causing wrongful restraint
(D) An act of throwing or administering acid or of such an attempt that reasonably causes apprehension of grievous hurt

99. As per IPC, gangrape is punished under

(A) Section 376A
(B) Section 376C
(C) Section 376D
(D) Section 376E

100. To which one of the following the word 'Illegal' used under Section 43 of IPC is not applicable?

(A) Which is an offence
(B) Which is prohibited by law
(C) Which furnishes a ground for civil action
(D) Which is immoral