Jharkhand Civil Judge (Preliminary) 2015 (Backlog)

Jharkhand Public Service Commission · Civil Judge (Junior Division) Preliminary Examination (Advt. 11/2015, backlog vacancies, held 2 July 2016) · 100 questions

Preliminary Examination

1. A nephrologist treats the disorders of
(A) nervous system
(B) ear
(C) kidney
(D) knees

2. Which of the following is a passive sentence ?
(A) You must come in time.
(B) He was taken to a hospital.
(C) It has been raining for two days.
(D) Milk is white.

3. The word which is the most similar in meaning to the word “Illegitimate” is
(A) Illegible
(B) Illegal
(C) Illogical
(D) Illiberal

4. A person who can speak or use many languages is called a
(A) bilingual
(B) monolingual
(C) polyglot
(D) polygon

5. Identify the correct expression.
(A) Your faithfully
(B) Yours faithfully
(C) Your's faithfully
(D) Yours' faithfully

6. “Man is a social animal” is
(A) an interrogative sentence.
(B) an imperative sentence.
(C) an exclamatory sentence.
(D) a declarative sentence.

7. Which of the following is not acceptable in Standard English ?
(A) Lecturership
(B) Professorship
(C) Leadership
(D) Scholarship

8. Identify the misspelt word :
(A) Procedings
(B) Preceding
(C) Proceedings
(D) Procedures

9. Find the ‘odd word’ in the following :
(A) heat
(B) seat
(C) sweat
(D) meat

10. Fill in the blank with an appropriate article in the following :
She died _____ cholera.
(A) in
(B) by
(C) from
(D) of

11. When East India Company came into existence, England was ruled by the
(A) Hanoverians
(B) Stuarts
(C) Normans
(D) Tudors

12. The equatorial radius of the earth is approximately
(A) 2700 km
(B) 6900 km
(C) 6400 km
(D) 11600 km

13. The great grammarian Patanjali of ancient India was whose contemporary among the following?
(A) Chandragupta Maurya
(B) Ashoka
(C) Pushyamitra Sunga
(D) Vasu Mitra

14. The Constitutional Amendment Act which states that the number of representatives in Lok Sabha and State Assemblies are to freeze on the basis of 1971 Census until the first Census to be taken after the year 2026.

(A) 91st Amendment Act
(B) 86th Amendment Act
(C) 85th Amendment Act
(D) 84th Amendment Act

15. The term fiscal deficit means

(A) total receipts minus expenditure
(B) total receipts minus interest payments on external debt
(C) revenue receipts minus expenditure
(D) revenue receipts minus defence expenditure

16. If a pendulum clock be taken from the equator to the poles, it will

(A) run slow
(B) run fast
(C) show the same time
(D) stop altogether

17. Ordinary salt is sodium chloride. What Is Baking Soda ?

(A) Potassium chloride
(B) Potassium carbonate
(C) Potassium hydroxide
(D) Sodium bicarbonate

18. Who among the following was appointed as the new Chairman of the Atomic Energy Commission in 2015 ?

(A) Sekhar Basu
(B) Ratan Kumar Sarkar
(C) Kailash Chandra Purohit
(D) Sri Kumar Banerjee

19. Which of the following cities was announced as the host of the 2022 Commonwealth Games ?

(A) Johannesburg
(B) Durban
(C) Pretoria
(D) Cape Town

20. Which country is ranked first among 189 economies in World Bank's "Doing Business 2016" ?

(A) Norway
(B) Denmark
(C) Singapore
(D) New Zealand

21. The object of pleading is

(A) to bring the parties to an issue
(B) to prevent the issues being enlarged
(C) to know the exact cause of action
(D) All the above

22. 'Pleadings' are the statements of the parties :

(A) in the form of plaint and written statement
(B) in the form of evidence
(C) in the form of statements of the witness
(D) in the form of issues framed by the court

23. The defendant should state his defence

(A) in the plaint
(B) in the written statement
(C) in the replication
(D) in the petition

24. Particulars can be demanded

(A) under Order 6, Rule 4
(B) under Order 7, Rule 3
(C) under Order 8, Rule 1
(D) under Order 14, Rule 2

25. A suit instituted in the name of the wrong plaintiff or defendant may be amended under C.P.C.

(A) Order 1, Rule 10(2)
(B) Order 6, Rule 4
(C) Order 7, Rule 8
(D) Order 8, Rule 2

26. The plaint shall be rejected

(A) where it does not disclose a cause of action.
(B) where it is not properly drafted.
(C) where the court has no jurisdiction.
(D) where it has several mistakes in drafting.

27. Written statement, may be filed by the defendant under

(A) Order 8, Rule 1
(B) Order 6, Rule 1
(C) Order 7, Rule 2
(D) Order 6, Rule 2

28. The set-off may be claimed

(A) for the ascertained sum of money in a debt suit.
(B) for the suit of unliquidated damages.
(C) beyond the limit of the pecuniary jurisdiction of the court.
(D) for claiming rights other than money suits.

29. Framing of wrong issue
(A) is not fatal to the judgement.
(B) is fatal to the judgement.
(C) judgement or decree can be set aside on the ground of wrong issue.
(D) All the above

30. Which of the following order of C.P.C. is the biggest order ?
(A) Order 20
(B) Order 21
(C) Order 22
(D) None of these

31. In which Order and Rule of C.P.C. the court may order to strike out or add parties at any stage of Civil Proceedings ?
(A) Order 1, Rule 10, Sub-rule 2
(B) Order 6, Rule 16
(C) Order 6, Rule 17
(D) Order 1, Rule 10, Sub-rule 1 to 5

32. Fundamental Rules of Pleading are contained in
(A) Order 6, Rule 1
(B) Order 6, Rule 2
(C) Order 6, Rule 3
(D) None of the above

33. "Conciseness" can be accomplished
(A) by omitting unnecessary facts.
(B) by omitting details of material facts.
(C) by paying due attention to the language used in the pleading.
(D) All of the above

34. In which section the amendment of clerical and arithmetical mistakes in judgements, decrees and orders is allowed under the C.P.C ?
(A) Sec. 152
(B) Sec. 153
(C) Sec. 153-A
(D) Sec. 153-B

35. Code of Civil Procedure, 1908 consist of
(A) 50 Orders
(B) 51 Orders
(C) 52 Orders
(D) None of these

36. The power of Supreme Court to transfer cases and appeals from one High Court to another High Court can be exercised on application by
(A) Registrar of High Court concerned
(B) Attorney General of India
(C) Chairman of Bar Council of India
(D) Solicitor General of India

37. Which of the following sections of Cr.P.C. is related with the legal aid to accused at state expense ?
(A) Sec. 304
(B) Sec. 305
(C) Sec. 306
(D) Sec. 307

38. Inquiry under Cr.P.C. is conducted by
(A) Magistrate
(B) Court
(C) Police Officer
(D) Either (A) or (B)

39. Application for anticipatory bail may be made before
(A) Session Court
(B) High Court
(C) Court of ChiefJudicial Magistrate
(D) Both (A) and (B)

40. Which of the following courts can summarily try the offence mentioned in Sec. 260 of Cr.P.C. ?
(A) ChiefJudicial Magistrate
(B) Metropolitan Magistrate
(C) Any Magistrate of first class especially empowered by High Court
(D) All the above

41. The procedure for summary trial is provided in the following Section of Cr.P.C. :
(A) S. 251 to 259
(B) S. 238 to 250
(C) S. 260 to 265
(D) S. 266 to 270

42. Under which Section of Cr.P.C. inherent power can be exercised by the High Court ?
(A) S. 482
(B) S. 483
(C) S. 484
(D) S. 485

43. Who among the following cannot claim maintenance under Section 125(4) of Cr.P.C. ?
(A) Wife living in adultery
(B) Wife living separately by mutual consent
(C) Both (A) and (B)
(D) None of the above

44. Which of the following is not correctly matched ?
(A) Arrest by private person - S. 42
(B) Arrest by Magistrate - S. 44
(C) Arrest how made - S. 46
(D) Arrest by police without warrant - S. 41

45. Private person may arrest any person who in his presence commits
(A) Non-bailable and non-cognizable offence
(B) Bailable and cognizable offence
(C) Bailable and non-cognizable offence
(D) Non-bailable and cognizable offence

46. The maximum period for which a Magistrate may send the arrested person in police custody is
(A) 14 days
(B) 15 days
(C) 60 days
(D) 90 days

47. Which of the following offences is not compoundable ?
(A) Offence u/s 323 of I.P.C.
(B) Offence u/s 334 of I.P.C.
(C) Offence u/s 307 of I.P.C.
(D) Offence u/s 379 of I.P.C.

48. 'Warrant Case' means a case relating to an offence punishable with
(A) up to one year imprisonment
(B) up to two year imprisonment
(C) more than two year imprisonment
(D) None of the above

49. The case of Mohd. Ahmed Khan V. Shah Bano Begum is related with
(A) Anticipatory bail
(B) Maintenance
(C) Appeal
(D) Arrest

50. Which of the following Section of Cr.P.C. provides for confirmation by the High Court of an order of death sentence given by Session Court ?
(A) S. 366
(B) S. 367
(C) S. 368
(D) S. 369

51. Which of the following section of Cr.P.C. is related with security for good behaviour from suspected persons ?
(A) S. 108
(B) S. 109
(C) S. 110
(D) S. 111

52. Which of the following is the content of charge ?
(A) Name of the offence
(B) Law against which the offence is said to have been committed
(C) Both (A) and (B)
(D) None of the above

53. Who frames the charge ?
(A) Police
(B) Prosecution
(C) Victim-party
(D) Court

54. Which of the following Section of Cr.P.C. is related to the withdrawal of prosecution ?
(A) S. 320
(B) S. 321
(C) S. 322
(D) S. 323

55. In summary trial the maximum punishment is
(A) 3 months
(B) 6 months
(C) 1 year
(D) 2 years

56. Indian Evidence Act came into force on
(A) 15th March, 1872
(B) Is1 September, 1872
(C) 30th June, 1872
(D) 1st July, 1872

57. Which of the following statements is incorrect about the Dying Declaration ?

(A) Dying declaration is not defined in the Indian Evidence Act.
(B) Under English Law, the expectation of death is necessary.
(C) Under Indian Law expectation of death is necessary.
(D) It must relate to the cause of death.

58. Hostile witness is defined in

(A) S. 154 of Indian Evidence Act
(B) S. 156 of Indian Evidence Act
(C) S. 133 of Indian Evidence Act
(D) None of the above

59. Match the correct option :

(A) Accomplice - S. 133
(B) Leading question - S. 137
(C) Private document - S. 74
(D) Judicial Notice - S. 17

60. If the confession is taken in consequence of a deception

(A) It will become irrelevant
(B) It does not become irrelevant
(C) It cannot be proved
(D) None of the above

61. Which of the following statements is correct about the Evidence of Character ?

(A) Character includes only reputation.
(B) Character includes only disposition.
(C) Evidence of character is not relevant in criminal cases.
(D) Evidence of character is not relevant in civil cases.

62. S. 113-A of Indian Evidence Act was inserted in the year

(A) 1983
(B) 1985
(C) 1986
(D) 1989

63. Which of the following statements is incorrect about admission ?

(A) It is defined in S. 17 of Indian Evidence Act.
(B) It can be made only by the party to the suit or proceeding.
(C) It is relevant in both civil and criminal cases.
(D) S. 23 of Indian Evidence Act applies to civil cases only.

64. Oral accounts of the contents of a document given by some person who has himself seen it is considered as

(A) Oral evidence
(B) Primary evidence
(C) Secondary evidence
(D) None of the above

65. The case of Ram Bharosey V. State of U.P. is related with

(A) Privilege communication
(B) Confession by co-accused
(C) Admission
(D) Expert opinion

66. The case of Palvinder Kaur V. State of Punjab is related with

(A) Admission
(B) Confession
(C) Dying declaration
(D) Expert opinion

67. Which of the following Section is related with the evidence as to the affairs of State ?

(A) S. 121
(B) S. 122
(C) S. 123
(D) S. 124

68. Which of the following is the correct statement ?

(A) Leading questions may not be asked in cross examination.
(B) Questions intended to insult or annoy can be asked in cross examination.
(C) Leading question is defined in S. 142 of Evidence Act.
(D) Leading questions must not be asked in re-examination

69. The case of Harvey v. Facey is related with

(A) Offer and invitation to offer
(B) Acceptance
(C) Consideration
(D) Breach of contract

70. In which of the following cases it is said that public policy is an unruly horse ?

(A) Adams V. Lindsell
(B) Richardson V. Mellish
(C) McPherson V. Appanna
(D) Felthouse v. Bindley

71. The case of Mohiri Bibi V. Dharmodas Ghose was decided by Privy Council in the year
(A) 1901
(B) 1902
(C) 1903
(D) 1905

72. An agreement on the happening of impossible event is void under
(A) S. 56(1)
(B) S. 56(2)
(C) S. 39
(D) S. 36

73. Which of the following Section of Contract Act is related with the novation of contract ?
(A) S. 62
(B) S. 63
(C) S. 64
(D) S. 65

74. The case of Satyabrata Ghose V. Mugneeram is related with
(A) Offer
(B) Acceptance
(C) Impossibility of performance
(D) Anticipatory breach of contract

75. Promises which form the consideration or part of the consideration for each other are called
(A) Agreement
(B) Reciprocal promise
(C) Consideration
(D) Contract

76. The case of the State of West Bengal V. B.K. Mondal is related with
(A) Consideration
(B) Impossibility of performance
(C) Novation of contract
(D) Quasi-contract

77. Which of the following Sec. ofContract Act is related to the anticipatory breach of contract ?
(A) S. 39
(B) S. 40
(C) S. 64
(D) S. 65

78. A promises, for no consideration, to give to B ₹1,000. This is
(A) Void contract
(B) Valid contract
(C) Void agreement
(D) Valid agreement

79. A contract to pay B ₹10,000 if B's house is burnt. This is
(A) Unlawful agreement
(B) Unlawful contract
(C) Contingent agreement
(D) Contingent contract

80. Which of the following Section of Contract Act defines bailment ?
(A) S. 148
(B) S. 149
(C) S. 150
(D) S. 151

81. Which of the following statements is correct ?
(A) Agent is defined u/s 183 of Contract Act
(B) Any person can appoint agent
(C) Consideration is necessary to create an agency
(D) No consideration is necessary to create an agency

82. The right of private defence of property extend to causing death when the offence apprehended is
(A) theft
(B) dacoity
(C) mischief
(D) house-trespass

83. In which of the following year S. 124-A of IPC was added ?
(A) 1880
(B) 1890
(C) 1897
(D) 1898

84. Which of the following statements is not correct ?
(A) Common intention itself is an offence.
(B) Abetment may be done by conspiracy.
(C) Criminal conspiracy is defined in S. 120-A of IPC.
(D) All the above

85. 'A' voluntarily burns a valuable security belonging to 'Z' intending to cause wrongful loss to 'Z'. 'A' has committed the offence of

(A) Criminal Trespass
(B) Mischief
(C) Criminal misappropriation
(D) None of the above

86. When two or more persons, by fighting in a public place disturb the public peace, it is called

(A) Affray
(B) Rioting
(C) Unlawful assembly
(D) Public Nuisance

87. Assault in order to outrage the modesty of a woman is punishable under

(A) S. 363 of IPC
(B) S. 354 of IPC
(C) S. 506 of IPC
(D) S. 509 of IPC

88. Under I.P.C. which of the following is not a grievous hurt ?

(A) Emasculation
(B) Dislocation of Bone
(C) Permanent disfigurement of face
(D) Any hurt which causes the sufferer to be during space of fifteen days in severe bodily pain

89. Taking out movable property from the possession of dead man is the offence of

(A) Theft
(B) Extortion
(C) Criminal Misappropriation
(D) None of the above

90. In which of the following cases the Supreme Court has struck down S. 303 of I.P.C. as unconstitutional ?

(A) Mittu Singh V. State of Punjab
(B) Machhi Singh V. State of Punjab
(C) Rajendra Kumar V. State of UP.
(D) Bachchan Singh V. State of Punjab

91. Which of the following sections of I.P.C is related to causing death by negligence?

(A) S. 304
(B) S. 304-A
(C) S. 354
(D) S. 354-A

92. Which of the following Section of I.P.C. is based on the maxim de minimis non-curat lex ?

(A) S. 92
(B) S. 93
(C) S. 94
(D) S. 95

93. Match the correct option :

(A) Public Nuisance - S. 267 of I.P.C.
(B) Harbouring the offender - S. 211 of I.P.C.
(C) Fabricating the false evidence - S. 192 of I.P.C
(D) Affray - S. 146 of I.P.C

94. Durham's rule is related with

(A) Insanity
(B) Intoxication
(C) Attempt
(D) Accident

95. Which of the following is not an essential element of common intention u/s 34 of I.P.C ?

(A) Criminal acts done by several people.
(B) Criminal act done in furtherance of common intention.
(C) Pre-arranged plan between persons doing criminal acts.
(D) Act done in furtherance of common object.

96. Which of the following is not a valuable security ?

(A) Rent note
(B) A postal receipt for an insured parcel
(C) Promissory note
(D) A deed of divorce

97. Use of violence by a member of an assembly of five or more person in furtherance of common object will constitute the offence of

(A) Affray
(B) Assault
(C) Rioting
(D) Unlawful Assembly

98. The case ofR V. Dudley and Stephen is related to the defence of

(A) Insanity
(B) Accident
(C) Intoxication
(D) Necessity

99. Which of the following cases is not related to criminal attempt ?

(A) Sudhir Kumar V. State of W.B.
(B) Abhayanand Mishra V. State of Bihar
(C) State of Maharashtra V. Mohd. Yakub
(D) State of Rajasthan V. Om Prakash

100. Valuable Security is defined under

(A) S. 28 of I.P.C.
(B) S. 29 of I.P.C.
(C) S. 30 of I.P.C.
(D) S. 31 of I.P.C.

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