# West Bengal Judicial Service (Mains) 2022

## Criminal Procedure Code and Indian Penal Code · compulsory paper

Time: 3 hours · Full marks: 100

**Group A: answer any five questions**

1. (a) Is there any difference between 'arrest' and 'custody'?
(b) Discuss the various directions given by the Supreme Court in favour of the arrested person in the leading case Sheela Barse V State of Maharashtra (1983). (3+7=10)

2. (a) "The doctrine of 'Locus Standi' is totally foreign to Criminal Jurisdiction". — Explain.
(b) Can an accused person be a competent witness? — Discuss. (5+5=10)

3. (a) Discuss the concept and object of 'Plea bargaining' as provided by CrPC.
(b) Write a brief note on Victim Compensation Scheme as provided by the CrPC. (5+5=10)

4. (a) What is inquest report under Section 174 of CrPC? — Explain.
(b) Discuss the situations where Post-Mortem in case of unnatural or suspicious death are compulsory.

5. What do you mean by 'Fair trial'? Discuss the essential conditions for a fair trial. (10)(5+5=10)

6. (a) What do you mean by the doctrine of 'autrefois acquit' and 'autrefois convict'?
(b) Write a note on the rights of an accused person under the CrPC. (5+5=10)

**Group B: answer any five from the following**

7. (a) Explain the doctrine 'Actus Non Facit Reum Nisi Mens Sit Rea' with illustrations.
(b) Explain the doctrine 'Actus me invito factus non est mens actus' with illustration. (5+5=10)

8. (a) What do you mean by attempt to commit murder? Whether without causing injury can a person be held guilty of attempt to commit murder?
(b) Discuss the exemptions given by IPC to minors for an offence under General Exceptions. (5+5=10)

9. Define the right of private defence. Discuss the situations when this right of private defence does not apply. (10)

10. What is Culpable Homicide? In what circumstances Culpable Homicide does not amount to murder? Explain with illustrations. (10)

11. (a) Define the offence of 'Voyeurism' and 'Stalking' with illustrations. Distinguish between them.
(b) Discuss the provisions of IPC relating to kidnapping of a minor for the purpose of begging. (5+5=10)

12. How sexual offence laws changed after Nirbhaya case? Have these amendments deterred crimes against women in India? Justify your answer. (10)