West Bengal Judicial Service (Mains) 2022

Indian Evidence Act · compulsory paper

Time: 3 hours · Full marks: 100

Group A: answer Question No. 1 and any two from the rest

1. (a) Define the term 'evidence' and discuss significance of circumstantial evidence with special reference to the Indian Evidence Act and relevant judicial decisions.
(b) State the evidential value of First Information Report. (15+5)

2. (a) Define the terms 'fact', 'fact in issue' and 'relevant fact'.
(b) What is the status of Tape recorder conversation under the Law of Evidence in India?
(c) Explain the evidential value of a child witness. (5+5+5)

3. When facts not otherwise relevant become relevant? Discuss with reference to relevant illustrations, decided cases and provisions of the Indian Evidence Act. (15)

4. (a) What do you understand by the terms 'Admission' and 'Confession'?
(b) Discuss the Law of Evidence in India relating to 'Admission' and 'Confession' with reference to judicial decisions and legal provisions. (5+10)

Group B: answer Question No. 5 and any two from the rest

5. Discuss the cases in which statement of relevant fact by person who is dead or cannot be found is relevant with reference to landmark decided cases and the provisions of the Indian Evidence Act. (15)

6. (a) Distinguish between Public Documents and Private Documents.
(b) Explain the law of Evidence in India about the exclusion of oral evidence by documentary evidence. (5+10)

7. (a) What is 'Burden of Proof'?
(b) On whom burden of proof lies?
(c) Discuss about burden of proof as to ownership under the Indian Evidence Act. (5+2+8)

8. (a) Who may testify?
(b) Who is an accomplice?
(c) Do you think an accomplice shall be a competent witness against an accused person?
(d) Write a note on opinion of Examiner of Electronic Evidence in India. (5+2+5+3)