

DEPARTMENTAL EXAMINATION FOR OFFICERS OF THE WEST BENGAL
CIVIL SERVICE (EXECUTIVE)

November, 2009

LAW - PAPER I (CRIMINAL LAW AND THE LAW OF EVIDENCE)
(WITHOUT BOOKS)

Time Allowed : 3 Hours

Full Marks : 100
Pass Marks : 50

Answer Question No.1 and any three Questions from
Group A and any two from Group B

Group - A

1. Distinguish between the expressions in any four of the following :
 - (a) Robbery & Dacoity.
 - (b) Culpable homicide amounting to murder and culpable homicide not amounting to murder.
 - (c) Gaining wrongfully and loosing wrongfully.
 - (d) Criminal conspiracy and act done in furtherance of common intention.
 - (e) Cognizable and non-cognizable case. 5x4

2. Explain the following terms as used in the I.P.C. (any four) :
 - (i) Fraudulently
 - (ii) Assault
 - (iii) Criminal breach of trust
 - (iv) Mischief
 - (v) Forgery. 5x4

3.
 - (i) When police may arrest without warrant ? 10
 - (ii) When can a Magistrate himself arrest the offender ? 5
 - (iii) Can arrest be made by private person and what is the procedure for such arrest ? 5

4.
 - (a) Who can disperse an unlawful assembly ? 12
 - (b) Can armed force be used to disperse such unlawful assembly ? 8

5. (a) Define the following expressions :-
 - (i) May presume
 - (ii) Shall presume 5x2
 (b) Admissions are not conclusive proof of the matters admitted - Discuss. 10

6.
 - (a) Who are competent to testify ? 6
 - (b) Are the lunatic and dumb competent to testify ? 4

P.T.O.

- (c) One Lakhan Singh, assaulted Madan Singh who was sleeping in his verandah with his son. One Sadhu saw this and chased Lakhan Singh. On the date of evidence this Sadhu who was cited as a prosecution witness was under a religious vow of silence and it was not possible for the judge to break his religious vow. How his evidence could be taken. Explain. 10

Group - B

7. Discuss the provisions of the Essential Commodities Act relating to confiscation of essential commodities. 10
8. What are the procedures and powers of Special Judge appointed to try offences under the Prevention of Corruption Act ? 10
9. Discuss the provisions relating to power to appoint Special Judges for cases triable by Special Judges under the Prevention of Corruption Act, 1988. 10