

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

May, 1959

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) Kidnapping and abduction.
 - (b) Bailable and non bailable offences.
 - (c) Summons & Warrants cases.
 - (d) Common intention and common object.
 - (e) Inquiry and investigation.

5x4
2. Explain the following terms as used in the Cr.Pc. (any four)
 - (a) Justice
 - (b) Counterfeit
 - (c) Offence
 - (d) Act and **omission**
 - (e) Dishonestly

5x4
3. (a) When the Court may issue summons to produce documents or other things?
(b) Which Court can compel the postal and telegraph authority to produce letters or telegrams, and how?

10x2
4. (a) What is meant by F.I.R.?
(b) How the F.I.R. is recorded in cognizable cases?
(c) What the informant will do if the officer of the police station refuses to record the information given by him?
(d) What is the effect of delay in lodging F.I.R.?

5

5

5

5
5. Explain the admissibility of a confession by an accused in the following cases :-
 - (a) Confession to a police officer.
 - (b) Confessional statement of accused inculcating himself and co-accused.

10x10
6. (a) What do you mean by the term 'burden of proof'? On whom the burden lies during the trial before the Court?
(b) State on whom the burden of proof lies before the Court :-
 - (i) A desires the Court to give judgment that B shall be punished for a crime which A says B has committed.
 - (ii) A, accused of murder, alleges that by reason of unsoundness of mind he did not know the nature of the act.

5+5

Group - D

- 7. Discuss the provisions of Essential Commodities (Special Provisions) Act, 1961 relating to offences triable by Special Court. 10
- 8. Which cases are triable by Special Judge under Prevention of Corruption Act, 1988 ? 10
- 9. Who is a public servant as per provisions of Prevention of Corruption Act ? Discuss. 10