



বিদ্যাসাগর বিশ্ববিদ্যালয়

VIDYASAGAR UNIVERSITY

3 Year L.L.B.

3rd Semester Examination 2021

THE INDIAN EVIDENCE ACT

PAPER—3.4

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give their answers in their own words as far as practicable.

Illustrate the answers wherever necessary.

Answer any *five* questions.

5×16

1. (a) What do you mean by evidence? Explain the different types of Evidence. 5×16
- (b) Discuss the term proved, not proved and disproved. 10+6
2. (a) Discuss in detail Burden of Proof and its general principles.
- (b) Discuss the rule of presumption in the following cases :
 - (i) A child born during married life of a couple.

(ii) Abatement of suicide by married women.

(iii) Dowry death.

10+6

3. (a) What is secondary evidence?

(b) Under what circumstances it can be given?

(c) Is uncertified copy of public document admissible if original has been destroyed? 4+10+2

4. (a) Elaborate in detail the doctrine of Estoppel.

(b) Discuss the competent witness and the competency of the following persons as witness :

(i) Dumb person.

(ii) Child.

(iii) Lunatic person.

(iv) Accomplice.

8+8

5. (a) Discuss and explain 'Examination-in-Chief', 'Cross-Examination' and 'Re-Examination'.

(b) Write a brief note on hostile witness.

(c) Write a short note on leading question.

8+4+4

6. (a) What is dying declaration?

(b) Discuss evidentiary value of dying declaration.

(c) "Whether the sole testimony of the dying declaration can be made the basis of conviction or not." Discuss with the help of judicial cases.

4+4+8

7. State the differences of any *two* of the following : 2×4

- (i) Fact in Issue and Relevant Fact.
- (ii) Direct and circumstantial evidence.
- (iii) Admission and Confession.
- (iv) Patent ambiguity and Latent ambiguity.

8. Write short notes on any *two* of the following : 2×4

- (i) Doctrine of *Res Gestae*.
- (ii) Hearsay evidence.
- (iii) Plea of *Alibi*.
- (iv) Privileged Communication.

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