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3 SEM LLB CPC 2 (N)

2018

(December)

LAW

Paper : 3.2

(Criminal Procedure Code)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct answer from the following questions : 1×10=10
 - (a) 'Summons Case' means a case relating to an offence punishable with imprisonment for a term —
 - (i) Not exceeding six months
 - (ii) Not exceeding two years
 - (iii) Exceeding two years
 - (iv) Exceeding six months.

(b) Inquiry is conducted by —

(i) Police Officer

(ii) Court

(iii) Magistrate

(iv) both (ii) and (iii).

(c) Public Prosecutor is appointed under —

(i) sec 23

(ii) sec 24

(iii) sec 25

(iv) sec 26.

(d) First Information Report is an information —

(i) Given to the Police Officer

(ii) Relate to a cognizable offence

(iii) First in point of time

(iv) All of the above.

(e) Accused person to be competent witness —

(i) Under section 313 CrPc

(ii) Under section 314 CrPc

(iii) Under section 315 CrPc

(iv) Under section 320 CrPc.

(f) Accused person examined under sec 313 CrPc —

(i) Oath is taken

(ii) No oath is taken

(iii) either (i) or (ii)

(iv) None of the above.

(g) The personal attendance of the accused can be dispensed with —

(i) Under section 207 of CrPc

(ii) Under section 205 of CrPc

(iii) Under section 208 of CrPc

(iv) Under section 210 of CrPc.

(h) Examination of witness by Police during investigation deals with —

- (i) Under sec 160 CrPc
- (ii) Under sec 161 CrPc
- (iii) Under sec 164 CrPc
- (iv) Under sec 165 CrPc.

(i) In summons cases —

- (i) Charge is framed
- (ii) Charge is explained
- (iii) Either (i) or (ii)
- (iv) All of the above.

(j) A Magistrate has the power to deal with urgent cases if apprehended danger or nuisance under —

- (i) sec 133
- (ii) sec 144
- (iii) sec 145
- (iv) sec 107.

2. Answer the following in short :

2×5=10

(a) Confession under section 164 CrPc

(b) Warrant case

(c) Content of charge

(d) Cognizable offence

(e) Anticipatory Bail.

3. Discuss in detail the classes of Criminal Court under CrPc. 12

Or

Discuss in detail the powers of Police Officers under the code of Criminal Procedure.

12

4. When search-warrant may be issued ?

12

Or

What is Bail ? State the difference between Bailable Offence and Non-bailable offence.

4+8=12

5. Explain the procedure to be followed when there is a complaint case and police investigation in respect of the same offence.

12

Or

Whether charge can be altered under section 216 CrPc ? What is the effect of altering charge on the trial ?

6+6=12

6. Give the procedure for trial of warrant cases by Magistrate in respect of cases instituted on police report.

12

Or

What offences can be tried summarily under section 260 CrPc ?

12

7. Explain the powers of the Appellate Court. 12

Or

Discuss in detail the power of High Court in transfer of cases and appeals. 12

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