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5 SEM LLB 3 LoEv

2010

(July)

LAW OF EVIDENCE

Paper : 503

Full Marks - 80

Time - Three hours

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

1. What do you understand by 'may presume', 'shall presume' and 'conclusive proof' ? 16

Or

Is there any difference as to the effect of evidence in civil and criminal proceedings ? 16

2. When do facts not otherwise relevant become relevant ? Give illustrations. 16

Or

1. In what cases, if any, can the confession of an accused person be used against a co-accused?

16

3. "In determining the admissibility of evidence, the production of the best evidence should be exacted".

Discuss the above statement.

16

Or

What are 'public documents' and what are 'private documents' according to the Indian Evidence Act?

16

4. State shortly the rules of the Indian Evidence Act, as to burden of proof, in the following matters :

16

(a) Whether a man is alive or dead

(b) Ownership

(c) Legitimacy

(d) Tenancy.

Or

Distinguish between 'estoppel' and 'res judicata'.

16

5. State the law in respect of legality of convicting an accused person on the uncorroborated testimony of an accomplice. 16

Or

- (a) When may a party cross-examine his own witness? 8
- (b) What is a 'leading question'? 8

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