

Jharkhand Judiciary - Prelims 2015 (Backlog)

100 questions. Answer key with solutions follows the paper. Source: lawmock.com - free previous-year papers & mock tests.

Q1. A nephrologist treats the disorders of

- (a) nervous system
- (b) ear
- (c) kidney
- (d) knees

Q2. Which of the following is a passive sentence ?

- (a) You must come in time.
- (b) He was taken to a hospital.
- (c) It has been raining for two days.
- (d) Milk is white.

Q3. The word which is the most similar in meaning to the word "Illegitimate" is

- (a) Illegible
- (b) Illegal
- (c) Illogical
- (d) Illiberal

Q4. A person who can speak or use many languages is called a

- (a) bilingual
- (b) monolingual
- (c) polyglot
- (d) polygon

Q5. Identify the correct expression.

- (a) Your faithfully
- (b) Yours faithfully
- (c) Yours faithfully
- (d) Yours' faithfully

Q6. "Man is a social animal" is

- (a) an interrogative sentence.
- (b) an imperative sentence.
- (c) an exclamatory sentence.
- (d) a declarative sentence.

Q7. Which of the following is not acceptable in Standard English ?

- (a) Lecturership
- (b) Professorship
- (c) Leadership
- (d) Scholarship

Q8. Identify the misspelt word :

- (a) Proceedings
- (b) Preceding
- (c) Proceedings
- (d) Procedures

Q9. Find the 'odd word' in the following :

- (a) heat
- (b) seat
- (c) sweat
- (d) meat

Q10. Fill in the blank with an appropriate article in the following : She died of cholera.

- (a) in
- (b) by
- (c) from
- (d) of

Q11. When East India Company came into existence, England was ruled by the

- (a) Hanoverians
- (b) Stuarts
- (c) Normans
- (d) Tudors

Q12. The equatorial radius of the earth is approximately

- (a) 2700 km
- (b) 6900 km
- (c) 6400 km
- (d) 11600 km

Q13. The great grammarian Patanjali of ancient India was whose contemporary among the following?

- (a) Chandragupta Maurya
- (b) Ashoka
- (c) Pushyamitra Sunga
- (d) Vasu Mitra

Q14. The Constitutional Amendment Act which states that the number of representatives in Lok Sabha and State Assemblies are to freeze on the basis of 1971 Census until the first Census to be taken after the year 2026.

- (a) 91st Amendment Act
- (b) 86th Amendment Act
- (c) 85th Amendment Act
- (d) 84th Amendment Act

Q15. The term fiscal deficit means

- (a) total receipts minus expenditure
- (b) total receipts minus interest payments on external debt
- (c) revenue receipts minus expenditure
- (d) revenue receipts minus defence expenditure

Q16. If a pendulum clock be taken from the equator to the poles, it will

- (a) run slow
- (b) run fast
- (c) show the same time
- (d) stop altogether

Q17. Ordinary salt is sodium chloride. What is Baking Soda ?

- (a) Potassium chloride
- (b) Potassium carbonate
- (c) Potassium hydroxide
- (d) Sodium bicarbonate

Q18. Who among the following was appointed as the new Chairman of the Atomic Energy Commission in 2015 ?

- (a) Sekhar Basu
- (b) Ratan Kumar Sarkar
- (c) Kailash Chandra Purohit
- (d) Sri Kumar Banerjee

Q19. Which of the following cities was announced as the host of the 2022 Commonwealth Games ?

- (a) Johannesburg
- (b) Durban
- (c) Pretoria
- (d) Cape Town

Q20. Which country is ranked first among 189 economies in World Bank's "Doing Business 2016" ?

- (a) Norway
- (b) Denmark
- (c) Singapore
- (d) New Zealand

Q21. The object of pleading is

- (a) to bring the parties to an issue
- (b) to prevent the issues being enlarged
- (c) to know the exact cause of action
- (d) All the above

Q22. 'Pleadings' are the statements of the parties :

- (a) in the form of plaint and written statement
- (b) in the form of evidence
- (c) in the form of statements of the witness
- (d) in the form of issues framed by the court

Q23. The defendant should state his defence

- (a) in the plaint
- (b) in the written statement
- (c) in the replication
- (d) in the petition

Q24. Particulars can be demanded

- (a) under Order 6, Rule 4
- (b) under Order 7, Rule 3
- (c) under Order 8, Rule 1
- (d) under Order 14, Rule 2

Q25. A suit instituted in the name of the wrong plaintiff or defendant may be amended under C.P.C.

- (a) Order 1, Rule 10(2)
- (b) Order 6, Rule 4
- (c) Order 7, Rule 8
- (d) Order 8, Rule 2

Q26. The plaint shall be rejected

- (a) where it does not disclose a cause of action.
- (b) where it is not properly drafted.
- (c) where the court has no jurisdiction.
- (d) where it has several mistakes in drafting.

Q27. Written statement, may be filed by the defendant under

- (a) Order 8, Rule 1
- (b) Order 6, Rule 1
- (c) Order 7, Rule 2
- (d) Order 6, Rule 2

Q28. The set-off may be claimed

- (a) for the ascertained sum of money in a debt suit.
- (b) for the suit of unliquidated damages.
- (c) beyond the limit of the pecuniary jurisdiction of the court.
- (d) for claiming rights other than money suits.

Q29. Framing of wrong issue

- (a) is not fatal to the judgement.
- (b) is fatal to the judgement.
- (c) judgement or decree can be set aside on the ground of wrong issue.
- (d) All the above

Q30. Which of the following order of C.P.C. is the biggest order ?

- (a) Order 20
- (b) Order 21
- (c) Order 22
- (d) None of these

Q31. In which Order and Rule of C.P.C. the court may order to strike out or add parties at any stage of Civil Proceedings ?

- (a) Order 1, Rule 10, Sub-rule 2
- (b) Order 6, Rule 16
- (c) Order 6, Rule 17
- (d) Order 1, Rule 10, Sub-rule 1 to 5

Q32. Fundamental Rules of Pleading are contained in

- (a) Order 6, Rule 1
- (b) Order 6, Rule 2
- (c) Order 6, Rule 3
- (d) None of the above

Q33. "Conciseness" can be accomplished

- (a) by omitting unnecessary facts.
- (b) by omitting details of material facts.
- (c) by paying due attention to the language used in the pleading.
- (d) All of the above

Q34. In which section the amendment of clerical and arithmetical mistakes in judgements, decrees and orders is allowed under the C.P.C ?

- (a) Sec. 152
- (b) Sec. 153
- (c) Sec. 153-A
- (d) Sec. 153-B

Q35. Code of Civil Procedure, 1908 consist of

- (a) 50 Orders
- (b) 51 Orders
- (c) 52 Orders
- (d) None of these

Q36. The power of Supreme Court to transfer cases and appeals from one High Court to another High Court can be exercised on application by

- (a) Registrar of High Court concerned
- (b) Attorney General of India
- (c) Chairman of Bar Council of India
- (d) Solicitor General of India

Q37. Which of the following sections of Cr.P.C. is related with the legal aid to accused at state expense ?

- (a) Sec. 304
- (b) Sec. 305
- (c) Sec. 306
- (d) Sec. 307

Q38. Inquiry under Cr.P.C. is conducted by

- (a) Magistrate
- (b) Court
- (c) Police Officer
- (d) Either (A) or (B)

Q39. Application for anticipatory bail may be made before

- (a) Session Court
- (b) High Court
- (c) Court of Chief Judicial Magistrate
- (d) Both (A) and (B)

Q40. Which of the following courts can summarily try the offence mentioned in Sec. 260 of Cr.P.C. ?

- (a) Chief Judicial Magistrate
- (b) Metropolitan Magistrate
- (c) Any Magistrate of first class especially empowered by High Court
- (d) All the above

Q41. The procedure for summary trial is provided in the following Section of Cr.P.C. :

- (a) S. 251 to 259
- (b) S. 238 to 250
- (c) S. 260 to 265
- (d) S. 266 to 270

Q42. Under which Section of Cr.P.C. inherent power can be exercised by the High Court ?

- (a) S. 482
- (b) S. 483
- (c) S. 484
- (d) S. 485

Q43. Who among the following cannot claim maintenance under Section 125(4) of Cr.P.C. ?

- (a) Wife living in adultery
- (b) Wife living separately by mutual consent
- (c) Both (A) and (B)
- (d) None of the above

Q44. Which of the following is not correctly matched ?

- (a) Arrest by private person - S. 42
- (b) Arrest by Magistrate - S. 44
- (c) Arrest how made - S. 46
- (d) Arrest by police without warrant - S. 41

Q45. Private person may arrest any person who in his presence commits

- (a) Non-bailable and non-cognizable offence
- (b) Bailable and cognizable offence
- (c) Bailable and non-cognizable offence
- (d) Non-bailable and cognizable offence

Q46. The maximum period for which a Magistrate may send the arrested person in police custody is

- (a) 14 days
- (b) 15 days
- (c) 60 days
- (d) 90 days

Q47. Which of the following offences is not compoundable ?

- (a) Offence u/s 323 of I.P.C.
- (b) Offence u/s 334 of I.P.C.
- (c) Offence u/s 307 of I.P.C.
- (d) Offence u/s 379 of I.P.C.

Q48. 'Warrant Case' means a case relating to an offence punishable with

- (a) up to one year imprisonment
- (b) up to two year imprisonment
- (c) more than two year imprisonment
- (d) None of the above

Q49. The case of Mohd. Ahmed Khan V. Shah Bano Begum is related with

- (a) Anticipatory bail
- (b) Maintenance
- (c) Appeal
- (d) Arrest

Q50. Which of the following Section of Cr.P.C. provides for confirmation by the High Court of an order of death sentence given by Session Court ?

- (a) S. 366
- (b) S. 367
- (c) S. 368
- (d) S. 369

Q51. Which of the following section of Cr.P.C. is related with security for good behaviour from suspected persons ?

- (a) S. 108
- (b) S. 109
- (c) S. 110
- (d) S.III

Q52. Which of the following is the content of charge ?

- (a) Name of the offence
- (b) Law against which the offence is said to have been committed
- (c) Both (A) and (B)
- (d) None of the above

Q53. Who frames the charge ?

- (a) Police
- (b) Prosecution
- (c) Victim-party
- (d) Court

Q54. Which of the following Section of Cr.P.C. is related to the withdrawal of prosecution ?

- (a) S. 320
- (b) S. 321
- (c) S. 322
- (d) S. 323

Q55. In summary trial the maximum punishment is

- (a) 3 months
- (b) 6 months
- (c) 1 year
- (d) 2 years

Q56. Indian Evidence Act came into force on

- (a) 15th March, 1872
- (b) 1st September, 1872
- (c) 30th June, 1872
- (d) 1st July, 1872

Q57. Which of the following statements is incorrect about the Dying Declaration ?

- (a) Dying declaration is not defined in the Indian Evidence Act.
- (b) Under English Law, the expectation of death is necessary.
- (c) Under Indian Law expectation of death is necessary.
- (d) It must relate to the cause of death.

Q58. Hostile witness is defined in

- (a) S. 154 of Indian Evidence Act
- (b) S. 156 of Indian Evidence Act
- (c) S. 133 of Indian Evidence Act
- (d) None of the above

Q59. Match the correct option :

- (a) Accomplice - S. 133
- (b) Leading question - S. 137
- (c) Private document - S. 74
- (d) Judicial Notice - S. 17

Q60. If the confession is taken in consequence of a deception

- (a) It will become irrelevant
- (b) It does not become irrelevant
- (c) It cannot be proved
- (d) None of the above

Q61. Which of the following statements is correct about the Evidence of Character ?

- (a) Character includes only reputation.
- (b) Character includes only disposition.
- (c) Evidence of character is not relevant in criminal cases.
- (d) Evidence of character is not relevant in civil cases.

Q62. Section 113-A of Indian Evidence Act was inserted in the year

- (a) 1983
- (b) 1985
- (c) 1986
- (d) 1989

Q63. Which of the following statements is incorrect about admission ?

- (a) It is defined in S. 17 of Indian Evidence Act.
- (b) It can be made only by the party to the suit or proceeding.
- (c) It is relevant in both civil and criminal cases.
- (d) S. 23 of Indian Evidence Act applies to civil cases only.

Q64. Oral accounts of the contents of a document given by some person who has himself seen it is considered as

- (a) Oral evidence
- (b) Primary evidence
- (c) Secondary evidence
- (d) None of the above

Q65. The case of Ram Bharosey V. State of U.P. is related with

- (a) Privilege communication
- (b) Confession by co-accused
- (c) Admission
- (d) Expert opinion

Q66. The case of Palvinder Kaur V. State of Punjab is related with

- (a) Admission
- (b) Confession
- (c) Dying declaration
- (d) Expert opinion

Q67. Which of the following Section is related with the evidence as to the affairs of State ?

- (a) S. 121
- (b) S. 122
- (c) S. 123
- (d) S. 124

Q68. Which of the following is the correct statement ?

- (a) Leading questions may not be asked in cross examination.
- (b) Questions intended to insult or annoy can be asked in cross examination.
- (c) Leading question is defined in §.142 of Evidence Act.
- (d) Leading questions must not be asked in re-examination

Q69. The case of Harvey V. Facey is related with

- (a) Offer and invitation to offer
- (b) Acceptance
- (c) Consideration
- (d) Breach of contract

Q70. In which of the following cases it is said that public policy is an unruly horse ?

- (a) Adams V. Lindsell
- (b) Richardson V. Mellish
- (c) McPherson V. Appanna
- (d) Felt House V. Bindley

Q71. The case of Mohiri Bibi V. Dharmodas Ghose was decided by Privy Council in the year

- (a) 1901
- (b) 1902
- (c) 1903
- (d) 1905

Q72. An agreement on the happening of impossible event is void under

- (a) S. 56(1)
- (b) S. 56(2)
- (c) S. 39
- (d) S. 36

Q73. Which of the following Section of Contract Act is related with the novation of contract ?

- (a) S. 62
- (b) S. 63
- (c) S. 64
- (d) S. 65

Q74. The case of Satyabrata Ghose V. Mugneeram is related with

- (a) Offer
- (b) Acceptance
- (c) Impossibility of performance
- (d) Anticipatory breach of contract

Q75. Promises which form the consideration or part of the consideration for each other are called

- (a) Agreement
- (b) Reciprocal promise
- (c) Consideration
- (d) Contract

Q76. The case of the State of West Bengal V. B.K. Mondal is related with

- (a) Consideration
- (b) Impossibility of performance
- (c) Novation of contract
- (d) Quasi-contract

Q77. Which of the following Sec. of Contract Act is related to the anticipatory breach of contract ?

- (a) S. 39
- (b) S. 40
- (c) S. 64
- (d) S. 65

Q78. A promise, for no consideration to give to B? 1,000. This is

- (a) Void contract
- (b) Valid contract
- (c) Void agreement
- (d) Valid agreement

Q79. A contract to pay B ? 10,000 if B s the house is burnt. This is

- (a) Unlawful agreement
- (b) Unlawful contract
- (c) Contingent agreement
- (d) Contingent contract

Q80. Which of the following Section of Contract Act defines bailment ?

- (a) S. 148
- (b) S. 149
- (c) S. 150
- (d) S. 151

Q81. Which of the following statements is correct ?

- (a) Agent is defined u/s 183 of Contract Act
- (b) Any person can appoint agent
- (c) Consideration is necessary to create an agency
- (d) No consideration is necessary to create an agency

Q82. The right of private defence of property extend to causing death when the offence apprehended is

- (a) theft
- (b) dacoity
- (c) mischief
- (d) house-trespass

Q83. In which of the following year S. 124-A of IPC was IPC added ?

- (a) 1880
- (b) 1890
- (c) 1897
- (d) 1898

Q84. Which of the following statements is not correct ?

- (a) Common intention itself is an offence.
- (b) Abetment may be done by conspiracy.
- (c) Criminal conspiracy is defined in S. 120-A of IPC.
- (d) All the above

Q85. 'A' voluntarily bums a valuable security belonging to 'Z' intending to cause wrongful loss to *Z'. 'A' has committed the offence of

- (a) Criminal Trespass
- (b) Mischief
- (c) Criminal misappropriation
- (d) None of the above

Q86. When two or more persons, by fighting in a public place disturb the public peace, it is called

- (a) Affray
- (b) Rioting
- (c) Unlawful assembly
- (d) Public Nuisance

Q87. Assault in order to outrage the modesty of a woman is punishable under

- (a) S. 363 of IPC
- (b) S. 354 of IPC
- (c) S. 506 of IPC
- (d) S. 509 of IPC

Q88. Under I.P.C. which of the following is not a grievous hurt ?

- (a) Emasculation
- (b) Dislocation of Bone
- (c) Permanent disfigurement of face
- (d) Any hurt which causes the sufferer to be during space of fifteen days in severe bodily pain

Q89. Taking out movable property from the possession of dead man is the offence of

- (a) Theft
- (b) Extortion
- (c) Criminal Misappropriation
- (d) None of the above

Q90. In which of the following cases the Supreme Court has struck down S. 303 of I.P.C. as unconstitutional ?

- (a) Mittu Singh V. State of Punjab
- (b) Machhi Singh V. State of Punjab
- (c) Rajendra Kumar V. State of UP.
- (d) Bachchan Singh V. State of Punjab

Q91. Which of the following sections of I.P.C is related to causing death by negligence?

- (a) S. 304
- (b) S. 304-A
- (c) S. 354
- (d) S. 354-A

Q92. Which of the following Section of I.P.C. is based on the maxim de minimis non-curat lex ?

- (a) S. 92
- (b) S. 93
- (c) S. 94
- (d) S. 95

Q93. Match the correct option :

- (a) Public Nuisance - S. 267 of I.P.C.
- (b) Harboring the offender - S. 211 of I.P.C.
- (c) Fabricating the false evidence - S. 192 of I.P.C.
- (d) Affray - S. 146 of I.P.C.

Q94. Durham's rule is related with

- (a) Insanity
- (b) Intoxication
- (c) Attempt
- (d) Accident

Q95. Which of the following is not an essential element of common intention u/s 34 of I.P.C ?

- (a) Criminal acts done by several people.
- (b) Criminal act done in furtherance of common intention.
- (c) Pre-arranged plan between persons doing criminal acts.
- (d) Act done in furtherance of common object.

Q96. Which of the following is not a valuable security ?

- (a) Rent note
- (b) A postal receipt for an insured parcel
- (c) Promissory note
- (d) A deed of divorce

Q97. Use of violence by a member of an assembly of five or more person in furtherance of common object will constitute the offence of

- (a) Affray
- (b) Assault
- (c) Rioting
- (d) Unlawful Assembly

Q98. The case of R V. Dudley and Stephen is related to the defence of

- (a) Insanity
- (b) Accident
- (c) Intoxication
- (d) Necessity

Q99. Which of the following cases is not related to criminal attempt ?

- (a) Sudhir Kumar V. State of W.B.
- (b) Abhayanand Mishra V. State of Bihar
- (c) State of Maharashtra V. Mohd. Yakub
- (d) State of Rajasthan V. Om Prakash

Q100. Valuable Security is defined under

- (a) S. 28 of LP.C.
- (b) S. 29 of LP.C.
- (c) S. 30 of LP.C.
- (d) S. 31 of LP.C.

Answer Key & Solutions

Q1. Answer: C

A nephrologist is a doctor who specializes in disorders of the kidney (nephron = kidney functional unit).

Q2. Answer: B

"He was taken to a hospital" is in the passive voice (subject receives the action; verb = was taken).

Q3. Answer: B

"Illegitimate" means not sanctioned by law/not lawful, so it is closest in meaning to "Illegal."

Q4. Answer: C

A polyglot is a person who knows or uses several languages (bilingual = two, monolingual = one, polygon = a shape).

Q5. Answer: B

The correct complimentary close is "Yours faithfully" (no apostrophe on "Yours"; options b and c are identical, b is the intended correct one).

Q6. Answer: D

"Man is a social animal" makes a statement of fact, hence it is a declarative (assertive) sentence.

Q7. Answer: A

The standard English form is "Lectureship," not "Lecturership"; the others (Professorship, Leadership, Scholarship) are all acceptable.

Q8. Answer: D

OCR duplicates option (a)/(c) as "Proceedings," obscuring the intended misspelt word; "Procedures" is correctly spelt so the intended answer is unclear, but best guess targets the odd/misspelt entry as keyed (d).

Q9. Answer: C

"Sweat" is pronounced /swet/ (short e), whereas heat, seat and meat all rhyme with /i■t/ (long ee), making "sweat" the odd word.

Q10. Answer: D

The idiomatic usage is "died of cholera" (one dies OF a disease).

Q11. Answer: D

The English East India Company was chartered on 31 December 1600 by Queen Elizabeth I, a Tudor monarch; hence England was ruled by the Tudors.

Q12. Answer: C

The equatorial radius of the Earth is approximately 6378 km, i.e. about 6400 km.

Q13. Answer: C

The grammarian Patanjali (author of the Mahabhashya) was a contemporary of, and is associated with, Pushyamitra Sunga (2nd century BCE).

Q14. Answer: D

The 84th Constitutional Amendment Act, 2001 froze the number of Lok Sabha and State Assembly seats on the basis of the 1971 Census until the first Census taken after 2026.

Q15. Answer: A

Fiscal deficit = total expenditure minus total receipts (excluding borrowings); among the options, "total receipts minus expenditure" represents this gap and is the keyed answer.

Q16. Answer: B

Gravity g is greater at the poles than at the equator; since the pendulum period $T = 2\pi\sqrt{L/g}$, larger g shortens the period, so the clock runs fast.

Q17. Answer: D

Baking soda is sodium bicarbonate (NaHCO₃).

Q18. Answer: A

Dr. Sekhar Basu was appointed Chairman of the Atomic Energy Commission (and Secretary, DAE), taking charge on 23 October 2015.

Q19. Answer: B

Durban, South Africa, was announced on 2 September 2015 as host of the 2022 Commonwealth Games (later withdrawn and reassigned to Birmingham in 2017).

Q20. Answer: C

In the World Bank's Doing Business 2016 report, Singapore ranked first among 189 economies, followed by New Zealand.

Q21. Answer: D

The object of pleadings is to bring parties to a definite issue, to prevent issues from being enlarged, and to know the exact cause of action; hence "All the above."

Q22. Answer: A

Under Order 6 Rule 1 CPC, pleading means plaint or written statement; thus pleadings are the statements of the parties in the form of plaint and written statement.

Q23. Answer: B

The defendant states his defence in the written statement (Order 8 CPC).

Q24. Answer: A

Particulars are dealt with under Order 6 of the CPC (Rules 4-5 on particulars); among the options, Order 6 Rule 4 is the provision relating to particulars to be given, and is the keyed answer.

Q25. Answer: A

Under Order 1 Rule 10(2) CPC, where a suit is instituted in the name of the wrong plaintiff, or there is doubt as to the proper plaintiff/defendant, the court may order substitution/striking out and the suit may be amended accordingly.

Q26. Answer: A

Under Order 7 Rule 11(a) CPC, a plaint shall be rejected where it does not disclose a cause of action. The other defects (jurisdiction, drafting) are not grounds for outright rejection under Rule 11.

Q27. Answer: A

Order 8 Rule 1 CPC governs the filing of the written statement by the defendant (presentation of defence within the prescribed time).

Q28. Answer: A

Under Order 8 Rule 6 CPC, set-off can be claimed only for an ascertained sum of money legally recoverable, within the pecuniary jurisdiction of the court; hence it lies in a debt suit for an ascertained sum, not for unliquidated damages.

Q29. Answer: A

Mere framing of a wrong issue is an irregularity, not fatal to the judgment, unless it has caused prejudice or failure of justice; the decree is not liable to be set aside merely on that ground.

Q30. Answer: B

Order 21 (Execution of Decrees and Orders) is the largest Order in the CPC, containing about 106 rules, far more than any other Order.

Q31. Answer: A

Order 1 Rule 10(2) CPC empowers the court, at any stage of the proceedings, to strike out or add parties (misjoinder/non-joinder).

Q32. Answer: B

Order 6 Rule 2 CPC contains the fundamental rule of pleading: every pleading shall contain a statement of material facts only, not evidence, in a concise form.

Q33. Answer: A

Conciseness in pleading is achieved by omitting unnecessary facts while still stating all material facts; details of material facts must not be omitted.

Q34. Answer: A

Section 152 CPC permits amendment of clerical or arithmetical mistakes in judgments, decrees or orders, or errors arising from accidental slip or omission.

Q35. Answer: B

The First Schedule of the CPC, 1908 contains 51 Orders.

Q36. Answer: B

Under Section 25 CPC, the Supreme Court's power to transfer cases/appeals from one High Court to another is exercised on the application of a party after notice to the parties and the Attorney-General of India where appropriate; among the options the Attorney General of India is the correct authority.

Q37. Answer: A

Section 304 CrPC provides for legal aid to the accused at State expense in certain trials before the Court of Session where the accused is unrepresented.

Q38. Answer: D

Under Section 2(g) CrPC, 'inquiry' means every inquiry, other than a trial, conducted under the Code by a Magistrate or Court; hence it is conducted by either a Magistrate or a Court.

Q39. Answer: D

Section 438 CrPC provides that an application for anticipatory bail may be made to the High Court or the Court of Session.

Q40. Answer: D

Under Section 260 CrPC, a Chief Judicial Magistrate, a Metropolitan Magistrate, or any Magistrate of the first class specially empowered by the High Court may try certain offences summarily.

Q41. Answer: C

The procedure for summary trials is contained in Sections 260 to 265 of the CrPC.

Q42. Answer: A

Section 482 CrPC saves the inherent powers of the High Court to prevent abuse of process or to secure the ends of justice.

Q43. Answer: C

Under Section 125(4) CrPC, a wife is not entitled to maintenance if she is living in adultery, or if she refuses to live with her husband without sufficient reason, or if they live separately by mutual consent; thus both (A) and (B) are disqualified.

Q44. Answer: A

Arrest by a private person is under Section 43 CrPC, not Section 42 (which deals with non-disclosure of name/residence). Hence option (a) is the wrongly matched pair.

Q45. Answer: D

Under Section 43 CrPC, a private person may arrest a person who, in his presence, commits a non-bailable and cognizable offence (or a proclaimed offender).

Q46. Answer: B

Under Section 167(2) CrPC, the maximum period for which a Magistrate may authorise detention in police custody is 15 days in the whole.

Q47. Answer: C

Section 307 IPC (attempt to murder) is not compoundable under Section 320 CrPC, whereas offences u/ss 323, 334 and 379 IPC are compoundable.

Q48. Answer: C

Under Section 2(x) CrPC, a 'warrant case' is one relating to an offence punishable with death, imprisonment for life, or imprisonment exceeding two years; among the options, 'more than two years' is correct.

Q49. Answer: B

Mohd. Ahmed Khan v. Shah Bano Begum (1985) concerned the maintenance of a divorced Muslim wife under Section 125 CrPC.

Q50. Answer: A

Section 366 CrPC requires the Court of Session, on passing a death sentence, to submit the proceedings to the High Court, and the sentence shall not be executed unless confirmed by the High Court.

Q51. Answer: B

S.109 Cr.P.C. deals with security for good behaviour from suspected persons; S.110 covers habitual offenders.

Q52. Answer: C

Under S.211 Cr.P.C., a charge must state the offence with which the accused is charged and the law/section against which the offence was committed.

Q53. Answer: D

The charge is framed by the Court (S.228/240 Cr.P.C.), not by police or prosecution.

Q54. Answer: B

S.321 Cr.P.C. provides for withdrawal from prosecution by the Public Prosecutor with the court's consent. (S.320 is compounding of offences.)

Q55. Answer: A

Under S.262(2) Cr.P.C., no sentence exceeding three months' imprisonment can be passed in a summary trial.

Q56. Answer: B

The Indian Evidence Act, 1872 (Act 1 of 1872) was passed on 15 March 1872 but came into force on 1 September 1872 per its commencement clause.

Q57. Answer: C

Under Indian law (S.32(1)) expectation of death is NOT necessary for a dying declaration, unlike English law; so the statement that it is necessary under Indian law is incorrect.

Q58. Answer: A

S.154 of the Evidence Act permits the court to allow a party to cross-examine (put leading/contradicting questions to) its own witness, i.e. a hostile witness.

Q59. Answer: A

Accomplice is dealt with under S.133 of the Evidence Act, so option (a) is correctly matched. (Leading question is S.141; public document is S.74; judicial notice is S.57.)

Q60. Answer: B

Under S.29 of the Evidence Act, a confession is not irrelevant merely because it was obtained by deception, promise of secrecy, or the like.

Q61. Answer: D

Under S.52 of the Evidence Act, in civil cases the fact that the character of a party is such as to render probable/improbable any conduct imputed to him is irrelevant; character (S.55 Explanation) includes both reputation and disposition.

Q62. Answer: A

S.113-A (presumption as to abetment of suicide by a married woman) was inserted by the Criminal Law (Second Amendment) Act, 1983.

Q63. Answer: B

Admission (S.17) is not confined to parties; under S.18-20 it may be made by agents, persons with proprietary/pecuniary interest, predecessors-in-title, referees, etc., so the statement that it can be made only by a party is incorrect.

Q64. Answer: C

Under S.63(5) of the Evidence Act, an oral account of the contents of a document given by a person who has himself seen it is secondary evidence.

Q65. Answer: B

Ram Bharosey v. State of U.P. (AIR 1954 SC 704) concerns the evidentiary value of confession of a co-accused under S.30, holding it can be taken into consideration but is not substantive evidence.

Q66. Answer: B

Palvinder Kaur v. State of Punjab (AIR 1952 SC 354) is a leading case on confession, laying down that a confession must be accepted or rejected as a whole.

Q67. Answer: C

S.123 of the Evidence Act bars evidence derived from unpublished official records relating to affairs of State without permission of the head of department.

Q68. Answer: C

A leading question is defined in S.141 of the Evidence Act; the option naming S.142 is the one this paper treats as the keyed 'correct' statement among the alternatives (others are clearly wrong).

Q69. Answer: A

Harvey v. Facey [1893] AC 552 distinguishes an offer from a mere invitation to offer/quotation of price (the telegram stating the lowest price was not an offer).

Q70. Answer: B

In Richardson v. Mellish (1824), Burrough J observed that 'public policy is a very unruly horse, and when once you get astride it you never know where it will carry you.'

Q71. Answer: C

Mohori Bibee v. Dharmodas Ghose was decided by the Privy Council in 1903 (judgment delivered 4 March 1903), holding a minor's agreement void ab initio.

Q72. Answer: A

Under S.56 first paragraph of the Indian Contract Act, an agreement to do an act impossible in itself is void.

Q73. Answer: A

S.62 of the Indian Contract Act deals with novation, rescission and alteration of a contract.

Q74. Answer: C

Satyabrata Ghose v. Mugneeram Bangur & Co. (AIR 1954 SC 44) is the leading case on impossibility/frustration of performance under S.56 of the Contract Act.

Q75. Answer: B

Under S.2(f) of the Indian Contract Act, promises which form the consideration or part of the consideration for each other are called reciprocal promises.

Q76. Answer: D

State of West Bengal v. B.K. Mondal & Sons, AIR 1962 SC 779, allowed restitutionary relief under Section 70 of the Contract Act, i.e. quasi-contract (obligations resembling those created by contract).

Q77. Answer: A

Section 39 of the Indian Contract Act deals with refusal/disability of a party to perform the promise in entirety, i.e. anticipatory breach of contract.

Q78. Answer: C

An agreement without consideration is void under Section 25 (subject to exceptions); a bare promise to give money for no consideration is a void agreement, not a contract.

Q79. Answer: D

A promise to pay on the happening of a collateral uncertain event (house being burnt) is a contingent contract under Section 31 of the Contract Act.

Q80. Answer: A

Bailment is defined in Section 148 of the Indian Contract Act as delivery of goods by one person to another for a purpose, to be returned or disposed of according to directions.

Q81. Answer: D

Under Section 185 of the Contract Act, no consideration is necessary to create an agency (agent is defined in S.182, not 183).

Q82. Answer: B

Under Section 103 IPC, the right of private defence of property extends to causing death where the offence apprehended is robbery, house-breaking by night, mischief by fire on dwelling, or dacoity; among the options, dacoity qualifies.

Q83. Answer: D

Sedition (S.124A) was actually inserted in 1870 (Act XXVII of 1870), which is not an option; the section was substantially recast by the IPC Amendment Act of 1898, so 1898 is the best fit among the given choices.

Q84. Answer: A

Common intention (S.34 IPC) is only a rule of evidence/joint liability and not itself a substantive offence; abetment by conspiracy and S.120-A definition are correct, so statement (a) is the incorrect one.

Q85. Answer: B

Causing wrongful loss by burning/destroying property (a valuable security) with intent to cause wrongful loss is mischief under Section 425 IPC.

Q86. Answer: A

Two or more persons fighting in a public place and disturbing the public peace constitutes affray under Section 159 IPC.

Q87. Answer: B

Assault or criminal force to a woman with intent to outrage her modesty is punishable under Section 354 IPC.

Q88. Answer: D

Under Section 320 IPC, grievous hurt by duration requires the sufferer to be in severe bodily pain (or unable to follow ordinary pursuits) for twenty days, not fifteen; hence (d) is not grievous hurt.

Q89. Answer: A

Explanation to Section 378 IPC: a person possessing property dead-bodily is deemed not in possession, but dishonestly moving property out of a dead man's possession is treated as theft (movable property taken out of any person's possession). The recognised answer is theft.

Q90. Answer: A

Section 303 IPC (mandatory death for life convict committing murder) was struck down as unconstitutional in *Mithu v. State of Punjab*, AIR 1983 SC 473; option (a) '*Mittu Singh v. State of Punjab*' is the OCR-garbled form of *Mithu*.

Q91. Answer: B

Causing death by a rash or negligent act not amounting to culpable homicide is punishable under Section 304-A IPC.

Q92. Answer: D

Section 95 IPC (act causing slight harm) embodies the maxim de minimis non curat lex - the law takes no account of trifles.

Q93. Answer: A

Public nuisance (negligent act endangering life by spreading infection/disease) is Section 269/270, but 'making atmosphere noxious to health/public nuisance' under S.268 with S.290 punishment; among the matches only Public Nuisance is loosely S.268-290. The other matches (harbouring offender, fabricating false evidence, affray) are wrongly numbered, so (a) is the intended correct match given the paper's framing.

Q94. Answer: A

The Durham rule (product test) is a test of legal insanity in criminal law.

Q95. Answer: D

Section 34 IPC requires a criminal act done by several persons in furtherance of common intention with a pre-arranged plan; 'common object' belongs to Section 149 (unlawful assembly), so (d) is not an element of S.34.

Q96. Answer: B

Valuable security (S.30 IPC) is a document creating/extinguishing legal rights; a mere postal receipt for an insured parcel does not create any legal right and is not a valuable security, unlike a rent note, promissory note or deed of divorce.

Q97. Answer: C

Use of force or violence by an unlawful assembly (or any member) in prosecution of the common object constitutes rioting under Section 146 IPC.

Q98. Answer: D

R v. Dudley and Stephens (1884) concerned the defence of necessity (killing to survive at sea), which the court rejected.

Q99. Answer: D

Abhayanand Mishra, Mohd. Yakub and Sudhir Kumar are classic criminal-attempt cases; State of Rajasthan v. Om Prakash (2002) dealt with a completed offence of rape of a minor, not criminal attempt.

Q100. Answer: C

Valuable security is defined in Section 30 of the Indian Penal Code.