

Total number of printed pages-5

63/5 (SEM-3) LL.B LLB302

2023

LAW

Paper : LLB302

(Criminal Procedure Code)

Full Marks : 80

. Pass Marks : 36

Time : Three hours

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

1. Choose the correct answer :

- (a) The Code of Criminal Procedure, 1973 came into force on 1st day of April, (1973/1974) 1
- (b) Under Section Magistrate may dispense with the personal attendance of the accused and permit him to appear by his pleader. (205/206) 1
- (c) An order under Section 144 of Criminal Procedure Code can be promulgated by District Magistrate. (True/False) 1

Contd.

- (d) Pre-arrest bail cannot be granted by the (*Chief Judicial Magistrate/Session Court/High Court*) 1
- (e) A cognizable offence means an offence for which a Police Officer (*may arrest without warrant/may not arrest without a warrant*) 1
- (f) F.I.R. can be filed in (*High Court/Session Court/Police Station*) 1
- (g) Under the Code of Criminal Procedure 1973, the Revisional Jurisdiction is conferred on (*both High Court and Court of Sessions / High Court only*) 1
- (h) Section of the Cr.P.C. resembles with the writ of habeas corpus. (*32/96/97*) 1
- (i) In every trial before a Court of Session, the Prosecution shall be conducted by a Public Procedure. (*True/False*) 1
- (j) Chapter XXIX of the Code Provides the provisions of (*Appeals/Revisions*) 1

2. Write short notes on : 2×5=10

- (a) Powers of Police Officers
- (b) Powers of the Session Judge to Grant Bail
- (c) Public Prosecutor
- (d) Plea Bargaining
- (e) Difference between investigation and enquiry

3. Explain the powers and jurisdiction of the various classes of criminal courts constituted under the Criminal Procedure Code. 12

Or

Discuss under what circumstances a Magistrate can take action for removal of public nuisances.

4. What is First Information Report ? Who can file an FIR ? Evaluate evidentiary value of First Information Report. 5+2+5=12

Or

Write in detail about the persons entitled to receive maintenance. Under what circumstances order for maintenance can be altered ? 6+6=12

5. What do you mean by complaint? Discuss the conditions requisite for initiation of proceedings before Magistrate. How a complaint is examined and proceeding commences? 2+6+4=12

Or

What is a charge? Explain the principle of separate charges for distinct offences. Discuss the provisions under the Criminal Procedure Code relating to joiner of charges. 4+4+4=12

6. Discuss elaborately the concept of plea bargaining. 12

Or

Write notes on : 6+6=12

(a) Trial of summons cases

(b) Summary trials

7. Discuss the procedure of appeal in case of acquittal. Enumerate the circumstances in which there shall be no appeal against an order of conviction. 6+6=12

Or

Write notes on :

6+6=12

- (a) Revisional power of High Court
 - (b) Power of High Court to transfer Cases and Appeals
-

Total number of printed pages-12

63/9 (SEM-3) LLB302

2024

LAW

Paper : LLB302

**(The Bharatiya Nagarik Suraksha Sanhita/
Criminal Procedure Code)**

Full Marks : 80

Pass Marks : 36

Time : Three hours

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

(The Bharatiya Nagarik Suraksha Sanhita)

1. Fill in the blanks with the appropriate answer given in the brackets : $1 \times 10 = 10$

(a) "Tribal areas" means the territories which, immediately before the 21st day of January, 1972, were involved in the tribal areas of Assam, as referred to in paragraph 20 of the _____ to the Constitution.

(i) 6th schedule

(ii) 7th schedule

(iii) 8th schedule

(iv) 9th schedule

Contd.

(b) BNSS came into force from _____.

(i) 1st July 2024

(ii) 2nd July 2024

(iii) 3rd July 2024

(iv) 4th July 2024

(c) Section 9 of the Criminal Procedure Code is involved in this Sanhita as _____ with same modification

(i) Sec 6

(ii) Sec 7

(iii) Sec 8

(iv) Sec 9

(d) Under _____ the registered medical practitioner shall, without any delay, forward the examination report to the investing officer.

(i) Sec 21(3)

(ii) Sec 31(3)

(iii) Sec 41(3)

(iv) Sec 51(3)

(e) _____ only District Magistrate or Chief Judicial Magistrate is authorized to grant a warrant to search for a document, parcel or other thing in the custody of the postal authority.

(i) Sec 96(3)

(ii) Sec 97(3)

(iii) Sec 98(3)

(iv) Sec 99(3)

(f) _____ act endangering sovereignty, unity and integrity of India.

(i) Sec 152

(ii) Sec 154

(iii) Sec 159

(iv) Sec 161

(g) The court has reasonable grounds to believe that any property obtained by any person is delivered or obtained, directly or indirectly, by such person from the commission of an offence under _____.

(i) Section 115(1)

(ii) Section 115

(iii) Section 152(1)

(iv) Section 152

(h) _____ of BNSS allows the state to take proactive action to resolve potential threats to public security.

(i) Sec 163

(ii) Sec 173

(iii) Sec 183

(iv) Sec 193

(i) Article _____ states that “No person shall be prosecuted and punished for the same offence more than once”.

(i) 20(2)

(ii) 21(2)

(iii) 23(4)

(iv) 25(1)

(j) The provisions of Section _____ (procedure when magistrate cannot pass sentence sufficiently severe).

(i) 363

(ii) 364

(iii) 365

(iv) 367

2. Short notes on : 2×5=10

(a) Summon

(b) Forensic investigation

(c) Trials

(d) Judgement

(e) Appeal

3. Write down about the salient features of the Bharatiya Nagarik Suraksha Sanhita. 12

OR

What are the objectives of Bharatiya Nagarik Suraksha Sanhita ?

4. What are the various classes of Criminal Courts of India and their constitution and powers ? 12

OR

Explain the role of the police officers in investigation of the Cognizable and Non-Cognizable cases under Section 174 and Section 175.

5. Which are the different criminal courts under the Criminal Procedure Code ? How is a Court of Session established and what are its powers and jurisdiction ? 3+3+6=12

OR

Who is a public prosecutor ? Can you withdraw a criminal case and under which circumstances can be withdraw from prosecution ? 12

6. What are the provisions relating to sentence of imprisonment in default payment of fine and what is the maximum period of imprisonment in default of fine when the offence is punishable with fine only ?

10+2=12

OR

Explain the circumstances in which an arrest without a warrant can be made. Can a Magistrate issue a warrant for arrest in respect of a Cognizable offence before taking Cognizance of the offence ? 12

7. What are the processes compel the appearance of a witness in a Court ? 12

OR

State to whom a warrant of arrest may be directed. Whether such a warrant may be directed to a person ? Explain the circumstances and the law in this regard ?

(Criminal Procedure Code)

1. Choose the correct option : $1 \times 10 = 10$

(a) Territorial Division of Criminal Courts are provided under _____ of the Cr.P.C.

(i) Sec 7

(ii) Sec 8

(iii) Sec 9

(iv) Sec 10

(b) FIR is a substantive piece of evidence.
(True/False)

(c) Amount of maintenance allowed by a Magistrate can be altered under Sec. _____ of the Criminal Procedure Code.

(i) 126

(ii) 127

(iii) 128

(iv) 129

(d) Bail is a matter of _____.

(i) Law

(ii) Right

(iii) Moral Right

(iv) Equity Right

- (e) An advocate with not less than _____ years of practice may be appointed as a public Prosecutor.
- (i) 5
 - (ii) 7
 - (iii) 8
 - (iv) 9
- (f) Attachment of property of person absconding can be ordered under Section _____ of the code of criminal Procedure.
- (i) 82
 - (ii) 83
 - (iii) 84
 - (iv) 85
- (g) A cognizable offence means an offence for which a police officer _____.
- (i) may arrest without warrant
 - (ii) has not authority to arrest without warrant
 - (iii) may release on bond
 - (iv) may not release on bond

- (h) Chapter XXIX of the Criminal Procedure Code provides for ____.
- (i) appeals
 - (ii) revision
 - (iii) review
 - (iv) reference
- (i) Revisional jurisdiction upon ____ under the Code of Criminal Procedure, 1973.
- (i) both High Court and Sessions Court
 - (ii) High Court only
 - (iii) CJM
 - (iv) Supreme Court
- (j) Contents of charge is given under Section ____ of the Criminal Procedure Code.
- (i) 211(1)
 - (ii) 211(2)
 - (iii) 311(1)
 - (iv) 311(2)

2. Write short notes on : (*any five*) $2 \times 5 = 10$

(a) Classes of Criminal Courts under Cr.P.C.

(b) Search warrant

(c) Trial for providing false evidence

(d) Plea Bargaining

(e) Transfer of Criminal Cases.

3. How is an Executive Magistrate appointed under the Code ? What are the powers and functions exercised by an Executive Magistrate ? $3+9=12$

OR

Discuss under which circumstances a Magistrate can take action for removal of Public Nuisance. 12

4. Explain the powers of the police to make an arrest without Warrant. What are the rights of an arrested person and the Consequences of its non-compliance. $6+6=12$

OR

What do you mean by Bail ? Under what circumstances a person can claim bail in a non-bailable offence ? What is an anticipatory bail ? Mention the detailed provisions.

2+6+4=12

5. What is complaint ? What is the procedure to be adopted by Magistrate taking cognizance of an offence on complaint.

4+8=12

OR

Define charge. Explain the principle of separate charges for distinct offences. Discuss the provisions under Cr.P.C relating to joinder of charges.

4+4+4=12

6. Explain elaborately the concept of plea bargaining.

12

OR

Explain the procedure of trial of warrant case instituted otherwise than on a police report.

12

7. What do you mean by appeal ? Explain the circumstances in which the case of appeal of a convicted person do not lie or cannot be preferred. Under what circumstances appeal shall lie to the Supreme Court, High Court or Court of Sessions ? 2+5+5=12

OR

Write notes on : 12

- (a) Power of revision of High Courts
- (b) Execution of order

2025

LAW

Paper Code : LLB302

(Criminal Procedure Code)

Full Marks : 80

Pass Marks : 36

Time : 3 hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer : 1x10=10
- (a) 'Warrant Case' means a case relating to an offence, punishable with death, imprisonment for life or imprisonment for a term exceeding _____.
- (i) 2 years (ii) 3 years
(iii) 4 years (iv) 5 years
- (b) Charge is defined under _____ of Cr. P.C.
- (i) Section 2(b) (ii) Section 2(a)
(iii) Section 2(c) (iv) Section 2(d)

- (c) Summary Trial is provided under chapter _____ of Cr.P.C.
- | | |
|------------|------------|
| (i) XXIX | (ii) XXX |
| (iii) XXXI | (iv) XXXII |
- (d) Revisional Jurisdiction is conferred upon _____ under the Cr. P.C 1973.
- | |
|--|
| (i) Both High Court and Sessions Court |
| (ii) High Court only |
| (iii) Session Court only |
| (iv) Supreme Court |
- (e) A right of appeal is a _____.
- | | |
|-------------------|---------------------------|
| (i) Natural right | (ii) Creation of Statute |
| (iii) Moral right | (iv) Constitutional right |
- (f) A police officer shall submit a police report under _____ of Cr. P.C.
- | | |
|-------------------|------------------|
| (i) Section 173 | (ii) Section 174 |
| (iii) Section 175 | (iv) Section 176 |
- (g) An order under Section 144 Cr.P.C can be promulgated by _____.
- | | |
|------------------------|--------------------------|
| (i) District Judge | (ii) District Magistrate |
| (iii) High Court Judge | (iv) Supreme Court Judge |

(h) An Advocate with not less than _____ years of practice may be appointed as a Public Prosecutor.

(i) 5

(ii) 7

(iii) 8

(iv) 9

(i) Under _____ a magistrate may dispense with the personal attendance of the accused and permit him to appear by his pleader.

(i) Section 205

(ii) Section 206

(iii) Section 207

(iv) Section 208

(j) A cognizable offence means an offence for which a Police Officer _____.

(i) may arrest without warrant

(ii) may not arrest without warrant

(iii) may take the accused in police custody

(iv) may not take the accused in police custody

2. Answer the following questions :

2x5=10

(a) Powers of Police Officer.

(b) Constitution of criminal courts.

(c) Power of the Session Judge to grant bail.

(d) Plea Bargaining.

(e) Search Warrant.

3. Discuss the power of executive magistrate for the removal of public nuisance. 12

Or

Discuss the object and importance of Cr. P.C. in the administration of criminal justice system.

4. What are bailable and non-bailable offences? Discuss briefly the relevant provision related to bail as well as anticipatory bail. 4+8=12

Or

What is FIR? Who can file an FIR? Evaluate evidentiary value of First Information Report. 5+2+5=12

5. Discuss the procedure of examination of complainant and witness. Explain how complaint can be dismissed. 12

Or

Define what charge is. Discuss the content of charge. Explain how charges can be joined. 2+5+5=12

6. Explain the procedure of trial of summon cases by magistrate. 12

Or

Discuss the procedure of trial of warrant cases instituted on a police report. 12

7. Discuss the procedure of appeal in case of acquittal. Explain the circumstance in which there shall be no appeal against an order of conviction. 8+4=12

Or

Critically discuss the power of Supreme Court and High Court to transfer case and appeal. 12

Total number of printed pages - 4

63/9 (SEM-3) LLB302

2025

LAW

Paper Code : LLB302

(The Bharatiya Nagarik Suraksha Sanhita (BNSS))

Full Marks : 80

Pass Marks : 36

Time : 3 hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer : 1x10=10

(a) BNSS came into force from_____.

(i) 1st July 2024

(ii) 2nd July 2024

(iii) 3rd July 2024

(iv) 4th July 2024

(b) Under_____ the registered medical practitioner shall, without any delay, forward the examination report to the investigating officer.

(i) Section 21(3)

(ii) Section 31(3)

(iii) Section 41(3)

(iv) Section 51(3)

(c) _____ of BNSS allows the State to take proactive action to resolve potential threats to public security.

(i) Section 163

(ii) Section 173

(iii) Section 183

(iv) Section 193

- (d) _____ states that "No person shall be prosecuted and punished for the same offence more than once".
- (i) Article 20(2)
 - (ii) Article 21(2)
 - (iii) Article 23(4)
 - (iv) Article 25(1)
- (e) Summary Trial is provided under _____ of BNSS.
- (i) Chapter XXI
 - (ii) Chapter XXI
 - (iii) Chapter XXIV
 - (iv) Chapter XXV
- (f) Bail is a matter of _____.
- (i) Law
 - (ii) Right
 - (iii) Morality
 - (iv) Equity
- (g) Pre-arrest bail can not be granted by the _____.
- (i) Chief Judicial Magistrate
 - (ii) Session Court
 - (iii) High Court
 - (iv) Supreme Court.
- (h) An order under Section 163 BNSS can be promulgated by _____.
- (i) District Judge
 - (ii) District Magistrate
 - (iii) CJM
 - (iv) Session Judge
- (i) Territorial divisions of Criminal Courts are provided under _____.
- (i) Section 7
 - (ii) Section 8
 - (iii) Section 9
 - (iv) Section 10

(j) An advocate with not less than_____ of practice may be appointed as a Public Prosecutor.

(i) 5 years

(ii) 6 years

(iii) 7 years

(iv) 8 years

2. Write short notes : 2x5=10

(a) Role of Public Prosecutors

(b) Summon

(c) Charge

(d) Appeal

(e) Concept of Juvenile Justice

3. Write the detail provisions on Constitution of Criminal Courts and discuss its Powers and Jurisdiction. 12

OR

Write the salient features of the Bharatiya Nagarik Suraksha Sanhita, 2023. 12

4. Discuss the provisions relating to maintenance. How a Magistrate can cancel or alter maintenance? 12

OR

Write detail provisions of maintenance of public order and tranquillity. Discuss its procedure, enquiry and order. 12

5. Discuss the detail provisions of trial before Sessions Court. 12

OR

What is complaint? What is the procedure to be adopted by Magistrate taking cognizance of an offence on complaint.

4+8=12

6. What are the bailable and non-bailable offences? Discuss briefly the relevant provision related to bail as well as anticipatory bail. 12

OR

Write the detail provisions of transfer of criminal cases in Supreme Court, High Court and Sessions Court. 12

7. Write the concept of Juvenile Justice provisions relating to Juvenile offenders under the BNSS and Juvenile Justice Act, 1986 12

OR

Write notes on:

6x2=12

- (i) Constitution of Child Welfare Boards and Juvenile Courts.
 - (ii) Powers of the State Government to constitute Advisory Boards.
-