

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 : 1×10=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

Total number of printed pages - 3

63/9 (SEM-3) LLBCC3025

2025

LAW

Paper : LLBCC3025

**(The Bharatiya Nagarik Suraksha Sanhita including
Juvenile Justice Act and Probation of Offenders Act.)**

Full Marks : 70

Pass Marks : 28

Time : 3 hours

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

1. Choose the correct answer: 1x6=6
- (a) Territorial divisions of criminal court are provided under _____.
- | | |
|-----------------|-----------------|
| (i) Section 7 | (ii) Section 8 |
| (iii) Section 9 | (iv) Section 10 |
- (b) 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 |
- (c) Summary trial is provided under _____ of BNSS.
- | | |
|--------------------|--------------------|
| (i) Chapter XXII | (ii) Chapter XXIII |
| (iii) Chapter XXIV | (iv) Chapter XXV |

(d) An order under section 163 of BNSS can be promulgated by _____.

- | | |
|--------------------|--------------------------|
| (i) District Judge | (ii) District Magistrate |
| (iii) CJM | (iv) Session Judge |

(e) Bail is matter of _____.

- | | |
|----------------|-------------|
| (i) Law | (ii) Right |
| (iii) Morality | (iv) Equity |

(f) Pre-arrest bail can not be granted by the _____.

- (i) Chief Judicial Magistrate
- (ii) Session Court
- (iii) High Court
- (iv) Supreme Court

2. Write short notes (any five): 2x5=10

- (a) Role of Public Prosecutors.
- (b) Powers and duties of Police.
- (c) Summon and Warrant
- (d) Cognizable offence and non-cognizable offence.
- (e) Charge and joinder of charge.
- (f) Judgement and content of judgement.
- (g) Concept of Juvenile justice.

3. Answer the following questions (any six) : 5x6=30
- (a) Write the detail provision of constitution of Criminal Court and discuss its powers and jurisdiction.
 - (b) Discuss the Powers of the police to make an arrest without a warrant. What are the rights of an arrested person and the consequences of its non-compliance.
 - (c) Discuss the provisions relating to maintenance and its alteration or cancellation by Magistrate.
 - (d) What is a complaint case under the code of BNSS. Briefly explain complaints to Magistrate and commencement of proceedings under the code of BNSS.
 - (e) Discuss the procedure of trial of warrant cases instituted on a police report.
 - (f) Discuss the procedure of appeal of acquittal. Enumerate the circumstances in which there shall be no appeal against an order of conviction.
 - (g) Discuss the power of Supreme Court, High Court and Sessions Court to transfer the cases.
 - (h) Write the concept of Juvenile Justice provisions relating to juvenile offenders under the BNSS and Juvenile Justice Act, 1986.
 - (i) Write the Constitution of Child Welfare Boards and Juvenile Court.

4. Answer the following questions (any two): 12x2=24

- (a) Write the salient features of the Bharatiya Nagarik Suraksha Sanhita, 2023.
 - (b) Discuss the powers of Magistrate to take action for removal of public nuisance.
 - (c) Discuss briefly about trials before the Court of Sessions with relevant provisions.
 - (d) What are the bailable and non-bailable offences? Discuss briefly the relevant provision related to bail as well as anticipatory bail.
 - (e) Write the concept of probation and the salient features of Probation of Offenders Act, 1958.
-