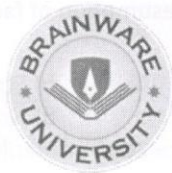




17070



## BRAINWARE UNIVERSITY

LIBRARY  
Brainware University  
Barasat, Kolkata -700125

Term End Examination 2025-2026

Programme – BBA LL.B.-2021/BBA LL.B.-2022/B.A. LL.B.-2022

Course Name – Law of Evidence

Course Code - BBALLB701/BALLB701

( Semester VII )

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

### Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Select the meaning of the maxim omnia proesumuntur rite esse acta.
- a) all acts are presumed to be rightly done      b) all acts are presumed to be not rightly done  
c) all acts are presumed to be wrongly done      d) all acts are presumed to be not wrongly done.
- (ii) Name the person by whom Indian Evidence Act was drafted.
- a) Lord Maculay      b) Sir James Stephen  
c) Sir Huxley      d) Sir Henry Maine
- (iii) Identify which of the following is an example of a formal admission.
- a) A spontaneous statement made by a witness      b) A statement made under oath during a deposition  
c) A statement made in jest during a social gathering      d) A statement made by a suspect during a police interrogation
- (iv) Choose from the following : What is a dying declaration under the BSA 2023?
- a) Statement made by an accused person      b) Statement made by a dying person  
c) A confession to the police      d) A written document
- (v) Select from the following : What section of Bharatiya Saksha Adhinyam 2023 is the dying declaration covered ?
- a) Section 26      b) Section 45  
c) Section 24      d) Section 61
- (vi) Which of the following is an example of primary evidence?
- a) Photocopy of a document      b) The original document itself  
c) Oral statement about the document      d) Typed version of the document
- (vii) What is secondary evidence according to Bharatiya Saksha Adhinyam 2023?
- a) The original document itself      b) Oral testimony  
c) Copies, transcripts, or reproductions      d) Video recordings
- (viii) Select from the following in what situation is secondary evidence admissible:

- a) When primary evidence is available  
c) When witnesses refuse to testify
- b) When primary evidence is lost or destroyed  
d) In all cases
- (ix) Identify what is required to rebut a presumption of fact under Bharatiya Saksha Adhiniyam 2023?
- a) Conclusive evidence  
c) Weak evidence
- b) Strong evidence  
d) No evidence
- (x) What does Bharatiya Saksha Adhiniyam 2023 primarily govern?
- a) Examination of witnesses  
c) Admissibility of evidence in courts
- b) Conduct of cross-examinations  
d) All of the above
- (xi) Which type of question is generally not allowed during examination-in-chief?
- a) Direct questions  
c) Open-ended questions
- b) Leading questions  
d) Relevant questions
- (xii) What is the key distinction between examination-in-chief and cross-examination?
- a) One is by the same party, other by opposing party  
c) One is detailed, the other is brief
- b) One is verbal, other is written  
d) Both are carried out by the same lawyer
- (xiii) Select from the following : What is the primary concept of Estoppel under the Bharatiya Saksha Adhiniyam, 2023?
- a) Preventing future claims  
c) Binding on all future litigants
- b) Preventing contradiction of statements  
d) Legal presumption in criminal cases
- (xiv) Select in which of the following cases may hearsay evidence be admissible:
- a) To prove a statement's contents  
c) To establish a fact
- b) To replace direct evidence  
d) To support circumstantial evidence
- (xv) Which rule is primarily followed in relation to hearsay evidence in Bharatiya Saksha Adhiniyam?
- a) The best evidence rule  
c) The exclusionary rule
- b) The hearsay rule  
d) The relevance rule

LIBRARY  
Brainware University  
Barasat, Kolkata -700125

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. What is judicial notice? (3)
3. Explain what is an admissible piece of evidence. (3)
4. When facts not otherwise relevant become relevant under BSA 2023? (3)
5. Develop a note on the concept of Best Evidence under BSA 2023. (3)
6. Analyze the concept of estoppel in bailment. (3)

OR

Distinguish between private and public document. (3)

### Group-C

(Long Answer Type Questions)

5 x 6=30

7. Examine the importance of circumstantial evidence. (5)
8. Hearsay rule is disregarded by the Court. Analyse the statement. (5)
9. What is the purpose and evidentiary value of the Test Identity parade in a criminal proceeding? (5)
10. Explain the Miranda rule relating to confession. (5)
11. Explain the evidentiary value of judicial confession. (5)
12. Assess the evidentiary value of the statement given by hostile witness. (5)

OR

Assess the witness protection scheme. (5)