



17943



BRAINWARE UNIVERSITY

Term End Examination 2025-2026
Programme – LL.B.-2023/LL.B.-2024
Course Name – Law of Evidence
Course Code - LLB301
(Semester III)

Library
Brainware University
398, Ramkrishnapur Road, Barasat
Kolkata, West Bengal-700125

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) What is the primary objective of the Bharatiya Saksha Adhiniyam 2023?
a) Regulate contracts
b) Establish court hierarchy
c) Regulate use of evidence
d) Define criminal offenses
- (ii) Which type of Estoppel arises from a party's conduct or behavior?
a) Estoppel by record
b) Estoppel by deed
c) Promissory estoppel
d) Estoppel by conduct
- (iii) What is the primary object of the law of evidence?
a) Punishment
b) Conviction
c) Proof of facts
d) Procedural rules
- (iv) What is the meaning of 'fact in issue'?
a) Any allegation
b) Irrelevant fact
c) Fact under judicial inquiry
d) Opinion of witness
- (v) Which of the following is not res gestae?
a) Crying for help during crime
b) Eyewitness testimony
c) Shouting during incident
d) Immediate reaction
- (vi) What does Documentary evidence includes?
a) Only electronic records
b) Any written document
c) Only affidavits
d) Only printed books
- (vii) Which of these is an exception to hearsay?
a) Dying Declaration
b) Hearsay within hearsay
c) Gossip
d) Leading questions
- (viii) Choose who can make a valid admission.
a) A stranger
b) A party to the proceeding
c) A police officer
d) A media person

- (ix) Select the reason why confessions to police are generally inadmissible.
- a) Lack of relevance
b) Threat of coercion
c) No recording
d) Media influence
- (x) Select the principle supporting dying declarations.
- a) Nemo debet esse judex
b) Audi alteram partem
c) Nemo moriturus praesumitur mentiri
d) Res ipsa loquitur
- (xi) Choose the reason why admission is relevant.
- a) It confirms court opinion
b) It helps delay trial
c) It simplifies issues
d) It prevents litigation
- (xii) Choose who is barred from making a confession statement.
- a) Co-accused
b) Accused
c) Prosecutor
d) Complainant
- (xiii) Select the best forum to record a dying declaration.
- a) Police station
b) Hospital
c) Magistrate
d) Court clerk
- (xiv) Select what makes a confession valid.
- a) Inducement
b) Coercion
c) Voluntariness
d) Promise
- (xv) Select the document admissible as dying declaration.
- a) Police report
b) Postmortem report
c) Recorded last words
d) Social media post

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Develop a note on the concept of privileged communication. (3)
3. Illustrate what is an admissible piece of evidence. (3)
4. When facts not otherwise relevant become relevant under BSA 2023? (3)
5. A sues B for damages done by a dog, which B knew to be ferocious. Tell whether the facts that the dog had previously bitten X, Y and Z who had complained to B relevant. (3)
6. Distinguish between primary and secondary evidence. (3)

OR

- Distinguish between private and public document. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Define the concept of relevant fact. (5)
8. Explain the concept of alibi defence. (5)
9. Construct a note on concept of estoppel. (5)
10. Justify the evidentiary value of the statement given by hostile witness. (5)
11. Assess the questions which are lawful in cross examination. (5)
12. Determine the persons who are competent to give witness in the Court of Law. (5)

OR

- Evaluate whether a dumb person can be witness in the Court of Law. (5)
