

**MIZORAM PUBLIC SERVICE COMMISSION**  
**TECHNICAL COMPETITIVE EXAMINATIONS FOR**  
**JUNIOR GRADE OF MIZORAM LEGAL SERVICE (MLS)**  
**UNDER LAW & JUDICIAL DEPARTMENT**  
**GOVERNMENT OF MIZORAM, AUGUST-2024**

**LAW PAPER-II**

Time Allowed : 2 hours

FM : 100

*All questions carry equal mark of 1 each.  
Attempt all questions.*

1. The provision of the Indian Penal Code apply to any offence committed by-
  - (a) any citizen of India in any place without and beyond India.
  - (b) any person on any ship or aircraft registered in India wherever it may be.
  - (c) any person in any place without and beyond India committing offence targeting a computer resource located in India.
  - (d) all of the above
2. The pronoun "he" and its derivatives are used to refer to person who are -
  - (a) Male
  - (b) Female
  - (c) Both (a) & (b)
  - (d) Not mentioned in the Indian Penal Code
3. Punishments to which the offenders are not liable under the Indian Penal Code are -
  - (a) Forfeiture of property
  - (b) Transportation for life
  - (c) Death
  - (d) Fine
4. Where no sum is expressed to which a fine may be extended, the amount of fine to which the offender is liable?
  - (a) Is unlimited but not excessive
  - (b) To be limited to ₹ 1000/-
  - (c) Not to be imposed
  - (d) Depending on the offence committed
5. Which of the following is protected under Chapter IV of the Indian Penal Code?
  - (a) Act of a child under 7 years of age
  - (b) Act of a Judge when acting judicially
  - (c) Act causing slight harm
  - (d) All of these
6. Mens res involves -
  - (a) Crimes of basic intent
  - (b) Crimes of speculative intent
  - (c) Crimes of specific intent
  - (d) Both (a) & (c)
7. To which of the following, the law of presumption applies?
  - (a) Volenti non fit injura
  - (b) Mens rea
  - (c) De minimus non curat lex
  - (d) All of these
8. What was the Supreme Court ruling regarding section 377 of the Indian Penal Code in the Navtej Singh Johar case?
  - (a) It upheld section 377 in its entirety
  - (b) It declared section 377 partially unconstitutional
  - (c) It declares section 377 fully unconstitutional
  - (d) It amended the provision of section 377 to protect the LGBTQ rights

9. Against whom of the following the offence of abduction is committed:
- (a) Women
  - (b) Children below the age of 18 years
  - (c) Children below the age of 12 years
  - (d) All of these
10. Which of the following is not an offence against the public tranquillity?
- (a) Riot
  - (b) Affray
  - (c) Assault
  - (d) Unlawful assembly
11. The maxim 'actus non facit reum, nisi mens sit rea' is established by -
- (a) Equity principle
  - (b) Roman law
  - (c) Common law
  - (d) House of lords
12. Which of the following is an essential ingredient of sedition?
- (a) Dishonest intention
  - (b) Mala fide intention
  - (c) Words spoken must cause public disorder by acts of violence
  - (d) Exciting disaffection towards the Government
13. Recruiting a person for the purpose of exploitation by abuse of power is -
- (a) Trafficking
  - (b) Kidnapping
  - (c) Abduction
  - (d) Assault
14. For the offence of kidnapping from lawful guardian, the minor should be -
- (a) As per the Indian majority act
  - (b) Below 16 years of age for male and female
  - (c) Below 16 years for male and 18 years for female.
  - (d) None of the above
15. Which of the following is designated as grievous hurt?
- (a) Emasculation
  - (b) Privation of any member or joint
  - (c) Destruction or permanent impairing of the powers of any member or joint
  - (d) All of the above
16. For the offence of section 326-A and 326-B, acid includes substances which has -
- (a) Corrosive character
  - (b) Burning nature
  - (c) Acidic character
  - (d) All of these
17. For a defence of intoxication, to escape criminal liability, the degeneration of mental faculty -
- (a) must be total when administered against his will and knowledge.
  - (b) can be partial when administered against his will and knowledge.
  - (c) can be self-intoxicated but loses mental faculty.
  - (d) none of the above
18. A hangman who hangs the prisoners pursuant to the order of the court is exempted from criminal liability pursuant to -
- (a) Section 77 IPC
  - (b) Section 78 IPC
  - (c) Section 79 IPC
  - (d) Section 80 IPC
19. The offence of theft becomes robbery when it is -
- (a) coupled with force.
  - (b) coupled with imminent danger to life.
  - (c) committed by five or more persons.
  - (d) committed by two or more but less than five persons.

20. Which one of the following is associated with common intention?
- (a) Similar intention
  - (b) Pre-meditated intention
  - (c) Same intention
  - (d) Unanimous decision in a meeting to do a particular act
21. Maximum period for which undertrials can be detained?
- (a) 24 hours
  - (b) To be decided by a magistrate
  - (c) Not exceeding the maximum period of punishment for the said offence
  - (d) Not more than half of the maximum period of punishment for the said offence
22. Anticipatory bail can be granted by -
- (i) Supreme Court
  - (ii) High Court
  - (iii) Sessions Court
  - (iv) Chief Metropolitan Magistrate
- (a) (i) and (ii)
  - (b) (ii) and (iii)
  - (c) (i), (ii) and (iii)
  - (d) All of the above
23. A warrant of arrest may be executed -
- (a) anywhere in India.
  - (b) anywhere within the State.
  - (c) cannot be forwarded outside the jurisdiction.
  - (d) None of these
24. Proceedings under section 125 CrPC may be taken up against any person in any district -
- (a) where he resides.
  - (b) where his wife resides.
  - (c) where he last resided with his wife.
  - (d) all of these
25. The right to free Legal Aid is mentioned under which section of CrPC?
- (a) 303
  - (b) 304
  - (c) 305
  - (d) 306
26. As per the CrPC, a Sessions Judge is appointed by -
- (a) The Governor of the State.
  - (b) The President of India.
  - (c) The State Government.
  - (d) The High Court.
27. Under section 144 of CrPC, the Executive Magistrate's order shall not remain in force for more than a period of -
- (a) one month
  - (b) two months
  - (c) six months
  - (d) 1 year
28. Object of investigation is to -
- (a) punish the accused
  - (b) acquit the accused
  - (c) collect evidence
  - (d) convict the accused
29. Police report means -
- (a) Report lodged by the complainant at the police station
  - (b) Report sent by the officer in charge of a police station to the superior police officer
  - (c) A report forwarded by the police officer to a magistrate under section 173 (b) CrPC
  - (d) Report entered in a case diary

30. An Assistant Public Prosecutor in charge of criminal case may appear and plead before the court -  
(a) with a written authority (b) only with the permission of the court  
(c) without any written authority (d) none of these
31. A proclamation under section 82 CrPC can be issued against a person against whom a warrant has been issued and thus can be issued against -  
(a) accused offender (b) Surety  
(c) a witness (d) all of these
32. After dismissal of a complaint under section 203 CrPC, a fresh complaint on same facts -  
(a) is not allowed  
(b) is allowed but only in exceptional circumstances  
(c) is allowed and can be entertained in all circumstances  
(d) either (a) or (c)
33. Under CrPC, the time limit within which the police must file a charge sheet after the arrest is -  
(a) 24 hours (b) 72 hours  
(c) 15 days (d) 90 days
34. An accused having made a request in writing to examine himself and having been called to examine himself -  
(a) must necessary examine himself.  
(b) has the liberty not to give evidence without giving rise to any presumption against him.  
(c) has the liberty not to give evidence, but in such a case a presumption against him arises.  
(d) has the liberty not to give evidence but in such a case a presumption arises against him and other co-accused tried along with him jointly.
35. For the prosecution for defamation, the person so defamed can file -  
(a) a complaint (b) an FIR  
(c) both (a) & (b) (d) neither (a) nor (b)
36. When a magistrate taking cognizance of an offence is of the opinion that there is sufficient ground for proceeding he may issue -  
(a) Summon in a warrant case (b) Warrant in a warrant case  
(c) Summon in a summons case (d) All of these
37. A Magistrate First Class may impose a maximum fine of -  
(a) ₹ 5,000/- (b) ₹ 10,000/-  
(c) ₹ 1 Lakh (d) ₹ 5 Lakh
38. All evidences taken in the course of trial or proceeding should be taken in the presence of -  
(a) The accused only  
(b) The accused and his pleader only  
(c) The accused or when his personal appearance is dispensed with, in the presence of his pleader  
(d) The accused and the magistrate
39. The power to direct investigation under section 156 (3) of CrPC can be exercised by -  
(a) a Sessions Judge (b) a Magistrate  
(c) both (a) & (b) (d) neither (a) nor (b)
40. The magistrate shall, upon receiving of police report, furnish to the accused, copy of -  
(a) The police report  
(b) The FIR recorded under section 154 CrPC  
(c) The confession and statement, if any, recorded under section 164  
(d) All of the above

41. A complaint becomes a First Information Report -  
(a) when the same is presented before the court for registration  
(b) when it is sent to police for investigation under section 156 (3) CrPC  
(c) when statement of the complainant is recorded by the court under section 200 CrPC  
(d) when statements of witnesses produced by complainant are recorded under section 202 CrPC
42. Which of the following magistrate can try the court summarily?  
(a) Chief Judicial Magistrate  
(b) Chief Metropolitan Magistrate  
(c) Magistrate of the first class specially empowered in this behalf by the High Court  
(d) All of the above
43. Affidavits to be used before any court under CrPC may be sworn or affirmed before -  
(a) any Judge  
(b) any Judicial Magistrate  
(c) any Executive Magistrate  
(d) all of these
44. Which of the following is a compoundable offence?  
(a) Voluntarily causing grievous hurt on grave and sudden provocation  
(b) Theft  
(c) Cheating  
(d) All of the above
45. The Public Prosecutor of the Assistant Public Prosecutor in charge of the case may withdraw from prosecution of any person either generally or in respect of any one or more of the offence for which he is tried -  
(a) with the consent of the court  
(b) without the consent of the court  
(c) on intimation sent to the court  
(d) none of these
46. In examination of the accused under section 313 (1) of CrPC, the accused -  
(a) need to be administered oath  
(b) need not be administered oath  
(c) oath may be administered at the discretion of the Magistrate  
(d) none of the above
47. The chapter of plea bargaining does not apply -  
(a) when the offence is punishable with death  
(b) to a juvenile  
(c) both (a) & (b)  
(d) neither (a) nor (b)
48. In a summons case, at the time of appearance of the accused before the Magistrate, it is not necessary to -  
(a) Frame a formal charge  
(b) State the particular of the offence of which he is accused  
(c) Both (a) & (b)  
(d) Neither (a) nor (b)
49. Which section of CrPC makes the requirement of prosecution sanction in respect of judges, magistrates and public servant?  
(a) 195  
(b) 195-A  
(c) 196  
(d) 197
50. Recalling of witness when charge is altered is provide under section \_\_\_\_\_ CrPC.  
(a) 216  
(b) 217  
(c) 310  
(d) 311

51. Evidence includes -
- (a) Oral evidence and documentary evidence
  - (b) Oral evidence and secondary evidence
  - (c) Documentary evidence and secondary evidence
  - (d) Oral evidence, documentary evidence and secondary evidence
52. Evidence may be given in any suit or proceeding of to the existence or non-existence of -
- (a) Fact in issue
  - (b) Relevant fact
  - (c) Both (a) & (b)
  - (d) Neither (a) nor (b)
53. An admission is a statement which include-
- (a) Oral statement
  - (b) Documentary statement
  - (c) Statement contained in electronic form
  - (d) All of these
54. For admissibility of a dying declaration, the person making the declaration must be -
- (a) under expectation on death
  - (b) the statement must be complete
  - (c) the person making the statement must be competent
  - (d) all of the above
55. Which of the following statement is not correct?
- (a) Dying declaration may be in oral or writing
  - (b) When there are two or more dying declaration in a case, there must be similarity of contents between them
  - (c) First Information Report recorded under section 154 CrPC may be admitted as dying declaration
  - (d) Statement of dying declaration must be recorded by a police officer
56. When a person is summoned to produce a document and produces the documents, then -
- (a) he automatically becomes a witness
  - (b) he is to be cross examined by both the parties
  - (c) he does not become a witness until he is called as a witness
  - (d) Both (a) & (b)
57. Electronics records produced before the court are -
- (a) Oral evidence
  - (b) Electronic evidence
  - (c) Documentary evidence
  - (d) None of these
58. An evidence given by a dumb witness in a court is -
- (a) not admissible
  - (b) oral evidence
  - (c) documentary evidence
  - (d) deemed to be no evidence
59. Burden of proof in the Indian Evidence Act (IEA) lies on a person -
- (a) who instituted the suit
  - (b) against whom the suit is instituted
  - (c) who would fail if no evidence at all were given on either side
  - (d) whom the court may call upon
60. If the attesting witness denies or does not recollect the execution of a document, then -
- (a) its execution may be proved by other evidence
  - (b) it cannot be considered by the court
  - (c) it becomes inadmissible
  - (d) none of these

61. Admissions by agents are -  
(a) admissible in civil proceeding  
(b) not admissible in criminal proceeding  
(c) may be admissible civil proceeding only if the agent has the authority to make admissions  
(d) both (c) & (b)
62. In which of the following the law of estoppels does not apply -  
(a) on a point of law  
(b) against a statute  
(c) attestation of a deed  
(d) all of these
63. 'Proof' is result of -  
(a) Inquiry  
(b) Evidence  
(c) Investigation  
(d) Statement
64. Dying declaration under section 32 of the IEA is an exception to the rule of -  
(a) Direct evidence  
(b) Hearsay  
(c) Secondary evidence  
(d) Estoppel
65. Leading questions are questions which -  
(a) suggest the answer  
(b) the person putting it wishes to receive  
(c) the person putting it expects to receive  
(d) all of these
66. Leading question may be asked -  
(a) during the examination of the witness  
(b) during the cross examination of the witness  
(c) during re-examination of the witness  
(d) all of these
67. A witness in cross examination may be asked questions which tends to -  
(a) test his veracity  
(b) to discover who he is and what is his position in life  
(c) to shake his credit, by injuring his character  
(d) all of the above
68. The credit of the witness may be impeached with the consent of the court by the -  
(a) adverse party  
(b) by the party producing him  
(c) both (a) & (b)  
(d) neither (a) nor (b)
69. It shall be a conclusive proof of the legitimacy of a child if the child is born within \_\_\_\_\_ and the women remains unmarried.  
(a) 280 days after the dissolution of marriage  
(b) 300 days after dissolution of marriage  
(c) 250 days after the dissolution of marriage  
(d) 180 days after the dissolution of marriage
70. Wills admitted to probate in India may be proved by -  
(a) Probate  
(b) Primary Evidence  
(c) Secondary evidence  
(d) Both (b) & (c)
71. Fact that need to be proved is called -  
(a) Factum probandum  
(b) Factum probans  
(c) Lex Fori  
(d) Lex Loci
72. Standard of proof is -  
(a) same in criminal and civil cases  
(b) higher in criminal cases  
(c) lower in criminal cases  
(d) higher in civil cases

73. The expression 'Court' in the IEA refers to -  
(a) all Judges  
(b) all Magistrates  
(c) all persons except Arbitrators, legally authorised to take evidence  
(d) all of the above
74. When a witness is compelled to answer a question, the question of whether such witness may answer the question or not is decided by -  
(a) The Court  
(b) The Public prosecutor of the Government Advocate  
(c) The witness himself  
(d) On conjoint consultation between (a), (b) and (c)
75. The provision of hostile witness is provided in -  
(a) Section 155 of IEA  
(b) Section 133 of IEA  
(c) Section 154 of IEA  
(d) Section 145 of IEA
76. Photostat copy of a family agreement allowed by the court to be produced as -  
(a) Primary evidence  
(b) Secondary evidence  
(c) Electronic evidence  
(d) Original evidence
77. The evidence unearthed by a sniffer dog fall under -  
(a) Primary evidence  
(b) Secondary evidence  
(c) Electronic evidence  
(d) Scientific evidence
78. Husband and wife are both competent witness for and against each other -  
(a) in civil proceedings  
(b) in criminal proceedings  
(c) both (a) & (b)  
(d) neither (a) nor (b)
79. According to section 61 of IEA, the contents of documents must be proved -  
(a) by primary evidence only  
(b) by secondary evidence only  
(c) by both primary and secondary evidence  
(d) either by primary or secondary evidence
80. Opinion of an expert is under section 45 of IEA is -  
(a) a conclusive proof  
(b) proof of circumstances  
(c) supportive and corroborative in nature  
(d) none of these
81. The maxim 'scienti non fit injuria' means -  
(a) Where there is no fault, there is no remedy  
(b) Mere knowledge does not imply consent to take risk  
(c) Mere giving consent does not imply to take risk  
(d) Scientific knowledge is not enough to cause injury
82. The term Culpalata and Culpalevis mean -  
(a) Gross negligence and slight negligence  
(b) Culpable and non culpable  
(c) Gross injury and slight injury  
(d) None of these
83. Which of the following is essential to establish strict liability of the defendant?  
(a) Non natural use of land  
(b) Negligence of the defendant  
(c) Both (a) & (b)  
(d) Neither (a) nor (b)
84. Which if the following is required for the tort of defamation?  
(a) Publication  
(b) Defamatory statement  
(c) Wrongful intention  
(d) None of these



85. Which of the following emerges from the case of *Donoghue v. Stevenson*?
- (a) A manufacturer products will be liable if he fails to take reasonable care to ensure that his product are reasonable safe
  - (b) In order to successfully claim for negligence, the plaintiff does not need to have a contact with the defendant
  - (c) The neighbour principal can be used to establish the existence of a duty of care in negligence
  - (d) All of the above
86. Law of Torts have developed mainly through -
- (a) Customs and precedents
  - (b) Judicial decisions
  - (c) Enactments
  - (d) All of these
87. The liability of joint tort feors is -
- (a) only joint
  - (b) only several
  - (c) joint and several
  - (d) neither joint nor several
88. Law of Tort is
- (a) Codified
  - (b) Uncodified
  - (c) Both (a) & (b)
  - (d) Neither (a) nor (b)
89. In a suit for malicious prosecution, which one of the following is not an essential element?
- (a) The plaintiff was prosecuted by the defendant
  - (b) The prosecution ended in favour of the plaintiff after exhausting all the steps of judicial process
  - (c) The prosecution was malicious
  - (d) The prosecution resulted in damage to the plaintiff
90. Gloucester Grammer school case explains -
- (a) *Injuria sine damno*
  - (b) *Damnum sine injuria*
  - (c) Respondents superior
  - (d) Remoteness of damage
91. Which of the following is not an exception to the principle of Strict Liability?
- (a) Act of God
  - (b) Plaintiff's Consent
  - (c) Intention of the defendant
  - (d) Plaintiff's fault
92. Which of the following constitute an example of joint tort feasor?
- (a) Master and Servant
  - (b) Principal and Agent
  - (c) Partners of a Firm
  - (d) All of these
93. The remedy in tort is -
- (a) Unliquidated damage
  - (b) Liquidated damage
  - (c) Restoration of original petition
  - (d) None of these
94. Liability without fault is -
- (a) Strict liability
  - (b) Vicarious liability
  - (c) Absolute liability
  - (d) No liability
95. In cases of liability in tort,
- (a) a minor is liable in the same manner and to the same extent as an adult.
  - (b) a minor is not liable at all.
  - (c) a minor is liable in the same manner but not to the same extent as an adult in respect of tort which do not require a special mental element.
  - (d) none of the above

96. Violation of right actionable per se means -
- (a) not actionable
  - (b) actionable on proof of actual damage
  - (c) actionable against some person only
  - (d) actionable without proof of any damage
97. Independent tort feasons are -
- (a) two or more persons acting independently concur to produce a single damage
  - (b) two or more persons acting independently at the same time produce different damages
  - (c) two or more persons acting independently at different times produce different damages
  - (d) two or more persons acting jointly at the same time produce different damages
98. Assault and damages are -
- (a) wrong under tort
  - (b) wrong under criminal law
  - (c) Both (a) & (b)
  - (d) Neither (a) nor (b)
99. When a master is held liable for the wrong of the servant, it is called -
- (a) Tortuous liability
  - (b) Strict liability
  - (c) Vicarious liability
  - (d) Absolute liability
100. The term actionable per se means -
- (a) Actionable only in civil court
  - (b) A tort of strict liability
  - (c) Actionable without proof of damage
  - (d) Actionable at the instance of the injured party only

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