LAW PAPER - II

Time Allowed : 2 hours  Full Marks : 100

Attempt all questions.

All questions carry equal marks of 1 each.

1. How many kinds of punishments are there under the Indian Penal Code?
   (a) four  
   (b) five  
   (c) six  
   (d) seven

2. The Indian Penal Code, 1860 came into force on
   (a) 1st September, 1872  
   (b) 1st April, 1861  
   (c) 1 January 1862  
   (d) 6th October, 1860

3. Who was the Chairman of the Committee that drafted Indian Penal Code?
   (a) James Stephen  
   (b) Kenny  
   (c) Lord Macaulay  
   (d) D.F Mulla

4. The maxim actus non-facit reum nisi mens sit rea means
   (a) guilty mind gives birth to crime  
   (b) there is no crime without guilty mind  
   (c) an act without my intention is not my act  
   (d) criminal mind leads crime

5. How many stages of Crime are there?
   (a) three  
   (b) four  
   (c) five  
   (d) six

6. Which section of Indian Penal Code defines Government Servant?
   (a) Section 14  
   (b) Section 15  
   (c) Section 16  
   (d) Section 17

7. The term for which the Court directs the offender to be imprisoned in default of payment of a fine shall
   (a) not exceed one-fourth of the term of imprisonment which is the maximum fixed for the offence, if the offence be punishable with imprisonment as well as fine  
   (b) not exceed half of the term of imprisonment which is the maximum fixed for the offence, if the offence be punishable with imprisonment as well as fine  
   (c) not exceed one-third of the term of imprisonment which is the maximum fixed for the offence, if the offence be punishable with imprisonment as well as fine  
   (d) none of these
8. In case of offence punishable with fine only, an offender who is sentenced to pay fine exceeding Rs. 100, the imprisonment in the default of payment of fine shall not exceed
   (a) two months        (b) three months
   (c) six months        (d) none of these

9. An offender has been punished for the imprisonment not exceeding six months. What will be the maximum period of solitary confinement in such case?
   (a) it shall not exceed 15 days    (b) it shall not exceed one month
   (c) it shall not exceed two months (d) none of these

10. The maxim *ignorantia facti excusat* stands for
    (a) ignorance of law is no excuse    (b) ignorance of fact is excusable
        (c) ignorance of fact is no excuse (d) none of these

11. The maxim *de minimus non curat lex* reflects the conclusion
    (a) Necessity knows no law
        (b) Nothing is an offence if done by a child below seven years of age
        (c) Every person is liable for his own act
        (d) Trifling acts do not constitute offence

12. In which of the following case the right to private defence do not extend to cause death of offender?
    (a) Rape            (b) Gratifying unnatural lust
        (c) Causing miscarriage  (d) Kidnapping

13. Sexual intercourse by a man with his wife is a rape if she is below age of
    (a) 17 years        (b) 15 years
        (c) 19 years        (d) 18 years

14. A puts his hand in pocket of B for stealing money but pocket was empty. A is
    (a) Guilty of theft            (b) Not guilty of theft
        (c) Guilty of attempt to commit theft  (d) Not guilty of any offence

15. For abduction under the Indian Penal Code, an abducted person should be
    (a) less than 16 years of age  (b) less than 17 years of age
        (c) less than 18 years of age  (d) of any age

16. Which section of Indian Penal Code defines ‘sedition’?
    (a) Section 122        (b) Section 123
        (c) Section 124        (d) Section 124-A

17. A instigates B to cause injury to C, but B refuses it. Has A committed any offence?
    (a) A is guilty of abetting B
        (b) A is not guilty of abetting B
        (c) A has not committed any offence because no injury was caused to C.
        (d) None of these

18. A gave poisonous sweet meet (halva) to B with the intention to kill him. B kept it on a table to eat later. C a child came there and ate it and subsequently dies.
    (a) A is guilty of C’s murder            (b) A is not guilty of C’s murder
        (c) None of these

19. How many exceptions are available against murder under the Indian Penal Code?
    (a) four                        (b) five
        (c) six                        (d) none of these
20. Hurt has been defined under ________of the Indian Penal Code.
   (a) Section 318  (b) Section 319
   (c) Section 320  (d) Section 312

21. Wrongful restrain has been defined under________of the Indian Penal Code.
   (a) Section 338  (b) Section 339
   (c) Section 340  (d) Section 341

22. Who can be kidnapped from lawful guardianship under section 361 Indian penal Code?
   (a) a person under 18 but above 16 years of age if male
   (b) a person under 18 years of age if female
   (c) a person under 16 years of age if female
   (d) all of these

23. Offence of theft is related to
   (a) movable property  (b) immovable property
   (c) both (a) & (b)  (d) none of these

24. What is the offence whereof the preparation is punishable?
   (a) Theft  (b) Murder
   (c) Dacoity  (d) Rape

25. Which among the following is not an essential of Criminal breach of trust?
   (a) Misappropriation  (b) Negligence
   (c) Entrustment  (d) Disposal of property

26. The word “Complaint” has been defined under section ________of the Code of Criminal Procedure.
   (a) 2(a)  (b) 2(b)
   (c) 2(c)  (d) 2(d)

27. The Court has power to issue warrant in lieu of summon in certain circumstances. In which section of Code of Criminal Procedure, 1973 has this provision been mentioned?
   (a) Section 85  (b) Section 86
   (c) Section 87  (d) Section 88

28. Court of a Chief Judicial Magistrate may pass any sentence authorised by law except a sentence of death or of imprisonment for life or of imprisonment for a term not
   (a) exceeding ten tears  (b) exceeding seven years
   (c) exceeding twelve tears  (d) none of these

29. The word “Warrant case” as used the Code of Criminal Procedure, 1973 means
   (a) A case relating to an offence punishable with imprisonment for life or imprisonment for a term exceeding two years
   (b) A case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years
   (c) A case relating to an offence punishable for a term exceeding ten years
   (d) None of these is correct
30. In case of cognizable offences police can arrest the accused
   (a) without warrant
   (b) without warrant but prior permission of higher police officer
   (c) only with warrant
   (d) none of these

31. In respect of investigation as provided under section 2(h) of the Code of Criminal Procedure Code, 1973 which of the following is not correct?
   (a) Investigation can be conducted by police officer
   (b) Investigation can be conducted by any person so authorised by Magistrate
   (c) Investigation can be conducted by Magistrate himself
   (d) Provision regarding investigation has been mentioned under section 2(h)

32. Any claim preferred to, or objection made to the attachment of, any property attached under section 83 of the Cr.P.C, by any person other than the proclaimed person shall be filed
   (a) within two months from the date of such attachment
   (b) within three months from the date of such attachment
   (c) within five months from the date of such attachment
   (d) within six months from the date of such attachment

33. Provision regarding lodging FIR has been mentioned in ______ of the Code of Criminal Procedure, 1973
   (a) Section 154
   (b) Section 158
   (c) Section 164
   (d) Section 172

34. The power to direct investigation by Magistrate has been provided under _______ of the Code of Criminal Procedure, 1973.
   (a) Section 155
   (b) Section 156(3)
   (c) Section 157
   (d) Section 158(1)

35. Section 167 of the Code of Criminal Procedure provides about the ______ of an accused.
   (a) Inquiry
   (b) Confession
   (c) Remand
   (d) Substantive evidence

36. What will be the maximum period for judicial custody, where the investigation relates to an offence punishable with death, imprisonment for life or imprisonment for a term of not less than ten years?
   (a) Sixty days
   (b) Ninety days
   (c) Thirty days
   (d) None of these

   (a) Section 168
   (b) Section 169
   (c) Section 170
   (d) Section 171

38. Section 125 of the Cr. P.C is applicable to
   (a) Hindus
   (b) Muslims
   (c) Christians
   (d) All of these
39. Section 190 of the Code of Criminal Procedure, 1973 provides for taking cognizance by the Magistrate
(a) on police report filed under section 173 of the Code
(b) on complaint within the meaning of the section 2(d) of the Code
(c) *Suo motu*
(d) all of these

40. Which of the following systems is followed in India for dispensation of criminal justice?
(a) Adversarial system  
(b) Inquisitorial system  
(c) Common Law system  
(d) None of these

41. Which sections of Criminal Procedure Code provide about summary trial?
(a) Section 238 to Section 250  
(b) Section 251 to Section 260  
(c) Section 255 to Section 265  
(d) Section 260 to Section 265

42. Under section 259 of the Code of Criminal Procedure a magistrate, has the power to convert a
summons trial to a warrant trial relating to an offence punishable for a term exceeding
(a) six months  
(b) one year  
(c) two years  
(d) none of these

43. Provision of Anticipatory bail has been mentioned under ___________of the Code of Criminal
(a) Section 436  
(b) Section 437  
(c) Section 438  
(d) Section 439

44. Which section of the Code of Criminal Procedure, 1973 provides about the inherent power of the
High Court?
(a) Section 481  
(b) Section 482  
(c) Section 483  
(d) Section 484

45. Which among the following irregularities vitiate the proceedings?
If any Magistrate not empowered by law to do any of the following things, namely
(a) to issue a search-warrant under section 94  
(b) to order, under section 155, the police to investigate an offence  
(c) to hold an inquest under section 176  
(d) attaches and sells property under section 83

46. Under Section 439 of Code of Criminal Procedure, 1973 the jurisdiction to cancel the bail vests with
(a) The Court of Session  
(b) The High Court  
(c) The Court of Magistrate  
(d) Only (a) & (b)

47. Which among the following is not correct?
There shall be no appeal by a convicted person in any of the following cases, namely
(a) where a High Court passes only a sentence of imprisonment for a term not exceeding six
months or of fine not exceeding one thousand rupees, or of both such imprisonment and fine
(b) where a Court of Session or a Metropolitan Magistrate passes only a sentence of imprisonment
for a term not exceeding three months or of fine not exceeding two hundred rupees, or of both
such imprisonment and fine
(c) where a Magistrate of the first class passes only a sentence of fine not exceeding one thousand
rupees
(d) where, in a case tried summarily, a Magistrate empowered to act under section 260 passes
only a sentence of fine not exceeding two hundred rupees
48. Under which Section of Code of Criminal Procedure, 1973 an accused can himself be a reliable witness?
   (a) Section 315  (b) Section 300
   (c) Section 313  (d) Section 317

49. Which of the following sections provides prosecution of judges under Cr. P.C. 1973?
   (a) Section-195  (b) Section-196
   (c) Section-197  (d) Section-198

50. The procedure for inquest is mentioned in ______ of the Code of Criminal Procedure, 1973
   (a) Section 173  (b) Section 174
   (c) Section 176  (d) Section 172

51. Which one is not correct?
   (a) The Narcotic Drugs and Psychotropic Substances Act, 1985 applies to all citizens of India
   (b) The Narcotic Drugs and Psychotropic Substances Act, 1985 applies to all citizens of India outside India
   (c) The Narcotic Drugs and Psychotropic Substances Act, 1985 applies to all persons on ships and aircrafts registered in India
   (d) The Narcotic Drugs and Psychotropic Substances Act, 1985 does not apply to a citizen of India outside India

52. Section 9A of the Act relates to:
   (a) Power of Central Government to permit, control and regulate
   (b) Power to Control and regulate Controlled substances
   (c) Power to add to or omit from the list of Psychotropic substances
   (d) None of these

53. The Narcotic Drugs and Psychotropic Substances Act, 1985 came into force on
   (a) 1st November 1985  (b) 10th November 1985
   (c) 14th November 1985  (d) 30th November 1985

54. The word “Manufacture”, in relation to narcotic drugs or psychotropic substances include
   (a) Refining of such drugs or substances
   (b) Transformation of such drugs or substances
   (c) Making of preparation (otherwise than in a pharmacy on prescription) with or containing such drugs or substances
   (d) All of these

55. Under the NDPS Act, 1985 the “poppy straw” means all parts of the opium poppy except
   (a) Flower  (b) Leaf
   (c) Seed  (d) All of these

56. Who has power too take measures for preventing and combating abuse of and illicit traffic in narcotic drugs?
   (a) State Government  (b) Central Government
   (c) Drug Inspectors  (d) None of these

57. The provision for constituting National Fund for Control of Drug Abuse has been provided in __________ of the NDPS Act, 1985.
   (a) Section 6A  (b) Section 7A
58. Which Statement is correct?
   (a) No narcotic drug, psychotropic substance, coca plant, the opium poppy or cannabis plant shall be liable to be attached by any person for the recovery of any money under any order or decree of any court
   (b) Only 50% of the narcotic drug, psychotropic substance can be attached by any person for the recovery of any money under any order or decree of any court
   (c) Both (a) & (b)
   (d) None of these

59. Whoever transports small quantity of ‘poppy straw’ in contravention of the provision of NDPS Act, 1985 shall be liable to be punished
   (a) with rigorous imprisonment for a term which may extend to three months, or with fine which may extend to ten thousand rupees or with both
   (b) with rigorous imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees or with both
   (c) with rigorous imprisonment for a term which may extend to nine months, or with fine which may extend to ten thousand rupees or with both
   (d) none of these

60. Cannabis (hemp) means:
   (a) Charas and Ganja
   (b) Tobacco
   (c) Coca Plant
   (d) All of these

61. Whoever, in contravention of any provision of NDPS Act, 1985 or any rule or order made or condition of licence granted thereunder, manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses any manufactured drug or any preparation containing any manufactured drug of small quantity, shall be punishable
   (a) with rigorous imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both
   (b) with rigorous imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both
   (c) with rigorous imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both
   (d) none of these

62. Whoever consumes cocaine or morphine shall be punishable
   (a) with rigorous imprisonment for a term which may extend to one year, or with fine which may extend to twenty thousand rupees; or with both
   (b) with rigorous imprisonment for a term which may extend to two years, or with fine which may extend to twenty thousand rupees; or with both
   (c) with rigorous imprisonment for a term which may extend to three years, or with fine which may extend to twenty thousand rupees; or with both
   (d) none of these

63. There will be no suspension, remission or commutation in any sentence awarded under the ND &PS Act, 1985. This provision has been added in the act from
   (a) 29-05-1989
   (b) 30-06-1990
64. Presumption from possession of illicit articles has been provided under __________ of the 
(a) Section 53  
(b) Section 53A  
(c) Section 54  
(d) Section 55

65. Any person empowered to search and seizure, under the NDPS Act, 1985 vexatiously and 
unnecessarily detains, searches or arrests any person
(a) shall be punishable with imprisonment for a term which may extend to two months 
or with fine which may extend to one thousand rupees, or with both  
(b) shall be punishable with imprisonment for a term which may extend to three months or with fine 
which may extend to one thousand rupees, or with both  
(c) shall be punishable with imprisonment for a term which may extend to six months or with fine 
which may extend to one thousand rupees, or with both  
(d) none of these

66. Any officer, on whom any duty has been imposed by or under the NDPS Act and who ceases or 
refuses to perform it.
(a) Shall be punishable with imprisonment for a term which may extend to one year or with fine or 
with both  
(b) Shall be punishable with imprisonment for a term which may extend to two years or with fine or 
with both  
(c) Shall be punishable with imprisonment for a term which may extend to three years or with fine 
or with both  
(d) None of these

67. Forfeiture of property derived from, or used in illicit traffic has been provided under
(a) Chapter V of the NDPS Act  
(b) Chapter VA of the ND&PS Act  
(c) Chapter VI of the ND&PS Act  
(d) None of these

68. The Narcotics Control Bureau was created on
(a) 15th March, 1986  
(b) 17 March 1986  
(c) 1st March, 1986  
(d) None of these

69. How many times has the ND&PS Act been amended?
(a) two  
(b) three  
(c) four  
(d) five

70. What quantity of heroin is permissible for commercial purpose?
(a) 200 gm.  
(b) 250 gm.  
(c) 300 gm.  
(d) None of these

71. The Prevention of Corruption Act, 1988
(a) Applies to the Citizen of India who are outside India also  
(b) Applies to Jammu & Kashmir also  
(c) Applies to Citizen of other country also  
(d) None of these is correct

72. Any offence punishable under the Prevention of Corruption Act, 1988, will be tried by
(a) Session Judge  
(b) Chief Judicial Magistrate
73. Who among the following is not a public servant Under the Prevention of Corruption Act, 1988?
   (a) Member of Legislative Assembly
   (b) Any person authorised by a court of justice to perform any duty, in connection with the administration of justice, including a liquidator, receiver or commissioner appointed by such court
   (c) Any arbitrator or other person to whom any cause or matter has been referred for decision or report by a court of justice or by a competent public authority
   (d) All of these

74. Under the Prevention of Corruption Act, 1988 if summary trial takes place the sentence of imprisonment shall not exceed:
   (a) 3 years
   (b) 2 years
   (c) 1 year
   (d) 6 months

75. Special Judges are appointed by
   (a) Central or State Government as the case may be
   (b) Governor of the State
   (c) Concerned High Court
   (d) None of these

76. Whoever habitually commits offence punishable under Section 8 of the Prevention of Corruption Act, 1988 shall be punishable with imprisonment for a term
   (a) Not less than two years but which may extend to seven years and also liable to fine
   (b) Not less than three years but which may extend to seven years and also liable to fine
   (c) Not less than five years but which may extend to seven years and also liable to fine
   (d) None of these

77. Which one is correct?
   (a) An Accused is competent witness under the Prevention of Corruption Act, 1988.
   (b) An Accused is not competent witness under the Prevention of Corruption Act, 1988.
   (c) An Accused, if he is minor, is competent witness, under the Prevention of Corruption Act, 1988.
   (d) None of these is correct.

78. Abetment by public servant is an offence defined in Section 9 of the Prevention of Corruption Act, 1988. It shall be
   (a) punishable with imprisonment for a term which shall be not less than six months but which may extend to five years and shall also be liable to fine
   (b) punishable with imprisonment for a term which shall be not less than one year but which may extend to five years and shall also be liable to fine
   (c) punishable with imprisonment for a term which shall be not less than two years but which may extend to five years and shall also be liable to fine
(d) punishable with imprisonment for a term which shall be not less than three years but which may extend to five years and shall also be liable to fine

79. Who among the following is not a public servant?
   (a) any Judge, including any person empowered by law to discharge, whether by himself or as a member of any body of persons, any adjudicatory functions
   (b) any person authorised by a court of justice to perform any duty, in connection with the administration of justice, including a liquidator, receiver or commissioner appointed by such court
   (c) any arbitrator or other person to whom any cause or matter has been referred for decision or report by a court of justice or by a competent public authority
   (d) a municipal councilor

80. The word “Public servant” has been defined under section ________ of the Prevention of Corruption Act, 1988
   (a) 2(a)  (b) 2(b)
   (c) 2(c)  (d) 2(d)

81. Under the Prevention of Corruption Act, 1988 the word ‘public duty’ means
   (a) A duty in the discharge of which the State has interest
   (b) A duty in the discharge of which the public has interest
   (c) A duty in which the community at large has interest
   (d) All of these

82. Investigation of an offence by the PC Act 1988 shall be done by a police officer not below the rank of
   (a) A Deputy Superintendent of Police or an Officer of equivalent rank
   (b) In case of Delhi, of an Inspector of Police
   (c) In metropolitan areas, of an Assistant Commissioner of Police
   (d) All of the above

83. Determination of Quantum of Fine has been provided under________of the Prevention of Corruption Act, 1988
   (a) Section 16  (b) Section 17
   (c) Section 18  (d) None of these

84. Any public servant, who commits criminal misconduct shall be liable to be punished
   (a) with imprisonment for a term which shall be not less than one year but which may extend to three years and shall also be liable to fine
   (b) with imprisonment for a term which shall be not less than one year but which may extend to five years and shall also be liable to fine
   (c) with imprisonment for a term which shall be not less than one year but which may extend to seven years and shall also be liable to fine
   (d) none of these

85. How many chapters are there in the Prevention of Corruption Act, 1988?
   (a) four  (b) five.
   (c) six  (d) seven

86. In POCSO Act, 2012 the word ‘child’ means
(a) A child less than sixteen years  (b) A child less than eighteen years
(c) A child of twenty years    (d) A child less than twenty one years

87. Which Court shall be considered as the Special Court?
(a) Chief Judicial Magistrate Court  (b) Session Judge Court
(c) Both (a) and (b)    (d) None of these

88. POCSO Act, 2012 came into force on
(a) 2\textsuperscript{nd} October, 2012  (b) 15\textsuperscript{th} August, 2012
(c) 26\textsuperscript{th} January, 2012  (d) 14\textsuperscript{th} November, 2012

89. The offence ‘aggravated penetrative sexual assault’ has been made punishable under
POCSO Act, 2012 for imprisonment
(a) Not less than ten years, which may extend to imprisonment for life, and fine.
(b) Not less than eight years, which may extend to imprisonment for life, and fine.
(c) Not less than seven years, which may extend to imprisonment for life, and fine.
(d) Not less than five years, which may extend to imprisonment for life, and fine.

90. If anyone uses a child for pornographic purposes, he shall be punished for
(a) Five years imprisonment and fine and in the event of subsequent conviction, seven years and fine
(b) Six years imprisonment and fine and in the event of subsequent conviction, seven years and fine
(c) Seven years imprisonment and fine and in the event of subsequent conviction, seven years and fine
(d) None of these

91. The meaning of “shared household” under the POCSO Act, 2012 is
(a) the person charged with the offence lives or has lived at any time in a domestic relationship with the child
(b) the owner of the house where child lives
(c) both of the above
(a) none of these

92. “Penetrative sexual assault” has been defined under__________of the POCSO Act,2012
(a) Section 2    (b) Section 3
(c) Section 4    (d) Section 5

93. The media has been barred from disclosing the identity of the child without the permission of the Special Court. This has been provided under
(a) Section 22 of the POCSO Act, 2012    (b) Section 23 of the POCSO Act, 2012
(c) Section 24 of the POCSO Act, 2012    (d) Section 25 of the POCSO Act, 2012

94. Under the POCSO, Act, evidence of the child shall be recorded within a period of__________ of the Special Court taking cognizance.
95. Whoever commits sexual assault on a child and makes the child to strip or parade naked in public
   (a) shall be punished with imprisonment of either description for a term which shall not be less than five years but which may extend to seven years, and shall also be liable to fine
   (b) shall be punished with imprisonment of either description for a term which shall not be less than six years but which may extend to seven years, and shall also be liable to fine
   (c) shall be punished with imprisonment of either description for a term which shall not be less than ten years but which may extend to seven years, and shall also be liable to fine
   (d) none of these

96. Under the POCSO Act the Special Court shall complete the trial, as far as possible, within a period of __________ from the date of taking cognizance of the offence.
   (a) Six months
   (b) One year
   (c) Two years
   (d) Three years

97. Right of child to take assistance of legal practitioner has been provided under __________ of the POCSO Act, 2012.
   (a) Section 39
   (b) Section 40
   (c) Section 41
   (d) Section 41

98. Who has power to make rules for carrying out the purposes of POCSO Act?
   (a) High Court
   (b) Supreme Court
   (c) State Government
   (d) Central Government

99. A teacher is aware that one of his students has been sexually abused by a staff of the school but he did not report to the authorities. The teacher shall
   (a) have no liability
   (b) be punished with three months imprisonment or with fine or both
   (c) be punished with six months imprisonment or with fine or both
   (d) none of these is correct

100. If any person provides false information with intention to defame other person including child, he shall
    (a) be punished with three months imprisonment or with fine or both
    (b) be punished with six months imprisonment or with fine or both
    (c) be punished with one year imprisonment or with fine or both
    (d) none of these

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