

MIZORAM PUBLIC SERVICE COMMISSION
DEPARTMENTAL EXAMINATIONS FOR SUB-INSPECTOR
UNDER EXCISE & NARCOTICS DEPARTMENT, SEPTEMBER 2016

PAPER – II

Time Allowed : 3 hours

FM : 100 PM : 40

Marks for each question is indicated against it.

GROUP 'A' Indian Penal Code (IPC)

Attempt all questions.

1. State and explain any five statutory exceptions to the offence of defamation. 'A' draws a picture of 'Z' running away with 'B's watch, intending it to be believed that 'Z' stole 'B's watch. Does the act of 'A' constitute offence of defamation? Discuss giving reason. **(5+5=10)**
2. 'To constitute the offence of extortion the will of the victim has to be overpowered by putting him in fear of injury.' Explain. 'A', by putting 'Z' in fear of grievous hurt dishonestly induces 'Z' to sign or affix his seal to a blank paper and deliver it to 'A'. 'Z' signs and delivers the paper to 'A'. Does 'A' commit extortion? Discuss giving reason. **(6+4=10)**
3. Write short note on any two: **(5+5=10)**
 - (a) Grievous hurt
 - (b) Wrongful confinement
 - (c) Personating a public servant

GROUP 'B' Code of Criminal Procedure, 1973

Attempt any 4 (four) questions.

4. Explain any 5 (five) statutory circumstances in which an arrest without a warrant can be made. In what manner are women treated differently in the matter of arrest under Section 46 of the Cr.P.C? **(5+5=10)**
5. Describe the procedure which a judicial magistrate is expected to follow in recording confessions made in the course of the investigation. What is the evidential value of such recorded confessions? **(7+3=10)**
6. What steps should the court take following the alterations or additions to the charge? Under what circumstances may two or more persons be charged and tried together at one trial? **(5+5=10)**
7. Differentiate between bailable and non-bailable offences. What conditions can be imposed under Section 437, Cr.P.C. while granting bail in non-bailable offences? **(4+6=10)**
8. Write short note on any two: **(5+5=10)**
 - (a) Tender of pardon to accomplice
 - (b) Power to try summarily
 - (c) Appeal by the State Government against sentence

GROUP 'C' Constitution of India

Attempt any 3 (three) questions.

9. State and explain the three protections guaranteed by the Constitution to a person in respect of conviction for offences under Article 20 of the Constitution of India. **(10)**
10. "The law declared by the Supreme Court is the law of the land". Explain the statement in the light of Article 141 of the Constitution and relevant decisional law on this regard. **(10)**
11. Discuss the protection stipulated to the persons employed in civil capacities under the Union or a State under Article 311 of the Constitution. **(10)**
12. Write short note on any two: **(5+5=10)**
- (a) Para 12-B of the Sixth Schedule to the Constitution
 - (b) Meaning of procedure established by law under Article 21 of the Constitution
 - (c) Independence of judiciary

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