

**BOARD OF DEPARTMENTAL EXAMINATION
GOVERNMENT OFFICERS/OFFICIALS (TEHSILDAR/NAIB-TEHSILDAR)**

October, 2012

Paper 5: (Criminal Law and Procedure)

Time allowed – Three hours

Maximum marks – 100

- Note:** (1) Attempt any five questions and at least one from each part.
(2) All questions carry equal marks.

PART – I

- Q.1 Define '*criminal trespass*'. Explain how house breaking is effected as per the provisions of the Indian Penal Code, 1860. (20 marks).
- Q.2 What are the essentials of the offence of criminal misappropriation of property? Explain with illustrations. (20 marks).
- Q.3 What is the difference between:
(a) Abduction and kidnapping (10 marks)
(b) Wrongful restraint and wrongful confinement (10 marks)

PART – II

- Q.4 Under what circumstances Magistrate can ask a person to execute a bond for keeping good behaviour? Discuss the procedure to be followed in such case and the validity period of an order passed in such cases. (20 marks)
- Q.5 Define 'Arrest'. Under what circumstances a police officer can arrest a person without a warrant? What kind of force he can use in order to arrest a person? (20 marks)
- Q.6 What is an 'Unlawful Assembly'? Discuss the provisions of the Code of Criminal Procedure dealing with Unlawful Assembly. (20 marks)

PART – III

- Q.7 Distinguish between primary evidence and secondary evidence, In what cases the secondary evidence relating to a document may be given? (20 marks)
- Q.8 What do you understand by confession? Whether confession before a police officer leading to recovery of weapon of offence is admissible in a criminal trial? (20 marks)
- Q.9 What are the rules of burden of proof in a criminal trial? What is the nature of burden of proof on the accused to prove right of private defence? (20 marks)