

# International Islamic University Chittagong

Final term Examination, Autumn-2022,

Department of Law, LL.B (Hon's), 6<sup>th</sup> Semester,

Course Title: The Law of Evidence, Course Code: LAW-3202.

- **Full marks: 50. Full Time: 2.30 hours.**
- **All questions are of equal value. Answer the following questions:**

1. Explain in details the significance of Examination of witnesses under the legal system of Bangladesh. "*There are some strict procedures and roles to examine the witnesses at the time of trial (P/W stage) of a case*". Explain.
2. Elucidate the term '*burden of proof*' and shifting of '*burden of proof*' with relevant sections and examples under the Evidence Act-1872. Share your opinion on sections 112 & 114(g) of the same Act.
3. Elucidate the term "*Presumption*". Make a comparative study on May, Shall and Conclusive presumption with relevant sections and examples as mentioned in the Evidence Act 1872.

**OR,**

Define 'Estoppels' with example. Explain the basic features of Estoppels. Distinguish between the Estoppels and *Res-Judicata*.

4. What is meant by hearsay evidence? Distinguish between the primary and secondary evidences. "*There are some exceptional circumstances that a court may allow the parties to proceed even with the secondary evidence*". Justify the excerpt with relevant sections of the Evidence Act 1872.

**OR,**

Who are competent to testify during trial of a criminal case? Explain the relevant provisions with relevant sections about the Compellability of witnesses as mentioned in the Evidence Act 1872.

5. Write short notes on the following: **(any two)**.
  - a. Leading questions with exceptions.
  - b. Objectives of Contradiction and Corroboration.
  - c. Rules of Examination-in-Chief & Cross-examination.
  - d. Hostile witness and Refreshing memory.