



TOPIC: Preparation for RJS, DJS, PCS(J) and other Judicial Service exams

The **Indian Evidence Act** forms the bedrock of civil as well as criminal law. Its thorough knowledge is a must for all aspirants of RJS, DJS, PCS(J) or any other Judicial Service exam for that matter. To help such aspirants, Delhi Law Academy Jaipur has launched a series of **fully solved tests** on all important aspects of this vital part of their syllabus:

EVIDENCE ACT TEST 2 [FULLY SOLVED]

Q 26. Which one of the following Sections of the Indian Evidence Act says "**facts admitted need not be proved**"?

- (a) Section 18
- (b) Section 21
- (c) Section 55
- (d) Section 58

Ans: d

Q 27. Contents of a document may be proved under Section 59 of the Evidence Act by

- (a) oral evidence
- (b) circumstantial evidence
- (c) primary or secondary evidence
- (d) None of the above

Ans: c



Q 28. Which one of the following Sections of the Indian Evidence Act provides for admissibility of secondary evidence?

- (a) Section 60
- (b) Section 61
- (c) Section 63
- (d) Section 65

Ans: d

Q 29. Which one of the following is **not a secondary evidence** ?

- (a) Copies made from the original by mechanical process
- (b) Copies made from or compared with the original
- (c) Counterparts of documents
- (d) Lithography

Ans: d

Q 30. Which one of the following Sections of the Indian Evidence Act deals with admissibility of '**electronic record**'?

- (a) Section 65
- (b) Section 66
- (c) Section 65A
- (d) Section 65B

Ans: d



Q 31. Section 74 of the Indian Evidence Act deals with

- (a) Testamentary document
- (b) Non-Testamentary document
- (c) Private documents
- (d) Public document

Ans: d

Q 32. Due execution and authentication of a power of attorney shall be presumed under Section 85 of the Evidence Act when executed before and authenticated by:

- (a) A judge
- (b) A Notary
- (c) A Magistrate
- (d) All of the above

Ans: d

Q 33. How many years' old electronic record will be deemed to be proved, if it is produced from a custody which the court in a particular case considers proper?

- (a) Five years
- (b) Thirty Years
- (c) Twenty years
- (d) Ten years

Ans: a

Q 34. Point out the incorrect statement:

- (a) If a contract is contained in several letters, all the letters in which it is contained, must be proved



(b) If a contract is continued in a bill of exchange, the bill of exchange must be proved

(c) If a bill of exchange is drawn in a set of three, one only need be proved.

(d) If A gives B receipt for money paid by B, oral evidence is offered of the payment, the evidence is not admissible.

Ans: d

Q 35. The Draft of Indian Evidence Act, 1872 was prepared by

(a) Fourth Law Commission

(b) Sir Henry Maine

(c) Sir James Stephen

(d) None of the above

Ans. (c)

Q 36. 'A' is tried for the murder of 'B' by beating with a club with the intention of causing his death. At 'A' s' trial which one of the following is not a fact in issue?

(a) 'A' s' beating B with the club

(b) 'A' s' conversation with "C"

(c) 'A' s' causing 'B' s' death with the club.

(d) 'A' s' Intention to cause B death

Ans.: (b)

Q 37. The fact sought to be proved is called

(a) Factum probana

(b) Factum probandum



(c) Lex Fori

(d) Lex Loci

Ans. (b)

Q 38. '**Proof**' is the result of

(a) Inquiry

(b) Evidence

(c) Investigation

(d) Statement

Ans. (b)

Q 39. **Res Gestae** is allowed as an exception to :

(a) Confession

(b) Dying declaration

(c) Hearsay evidence

(d) documentary evidence

Ans. (c)

Q 40. **Identification parade** is relevant under which section of the Evidence Act?

(A) Section 8

(B) Section 9

(C) Section 10

(D) Section 11

Ans: (b)

Q 41. A is accused of B's murder. Which of the following will be a 'relevant fact'?



- (a) A's going to field with a club
- (b) A's saying shortly before the incident that he will take a revenge of his father's death
- (c) A's fleeing before the police arrived at village
- (d) All of the above

Ans: (d)

Q 42. The case **Dudhnath Pandey v. State of U.P.** is related to

- (a) Res Gestae
- (b) Plea of alibi
- (c) Admission
- (d) Accomplice

Ans.: (b)

Q 43. Existence of any 'right' or 'custom' may be proved under Indian Evidence Act, 1872 under

- (a) Section 13 only
- (b) Section 14 only
- (c) Section 15 only
- (d) None of the above

Ans: (a)

Q 44. A is tried for murder of B by intentionally shooting him dead. The fact that A was in the habit of shooting at people with intent to murder them :

- (a) is relevant
- (b) is irrelevant



- (c) is relevant but cannot be proved      (d) None of the above

Ans: (a)

Q 45. Oral admission as to contents of electronic records are provided under the Indian Evidence Act in .

- (a) Section 20      (b) Section 23  
(c) Section 22 A      (d) Section 22 B

Ans: (c)

Q 46. "A confession even consists of conversation to oneself, for it is not necessary for the relevancy of a confession that it should be communicated to some other person", was held in the case of

- (a) Shankaria v. State of Rajasthan  
(b) Boota Singh v. State of Punjab  
(c) Sahoo v. State of U.P.  
(d) Nishikant Jha v. State of Bihar

Ans: (c)

Q 47. Which one of the following cases is related to **dying declaration**?

- (a) Mehboob Shah v. King Emperor      (b) Queen v. Abdullah



(c) Kotayya v. King Emperor

(d) M.C. Vergese v. Poonan

Ans. (b)

Q 48. Case of **Pakala Narayan Swami v. King Emperor** is related with which section of the Indian Evidence Act?

(A) Section 6

(B) Section 21(1)

(C) Section 32(1)

(D) Section 41

Ans: (c)

Q 49. Even a “student” may be treated as an expert under Section 45 of the Indian Evidence Act, 1872. It was laid down by the Supreme Court in

(a) Bhoginbhai Hirbhai v. State of Gujarat (1983)

(b) Sankaria v. State of Rajasthan (1978)

(c) Kanpur University v. Samir Gupta & others (1983)

(d) Punjab Singh v. State of Haryana (1984)

Ans. (c)

Q 50. Facts supporting or rebutting the opinion of the experts are relevant under which section of the Indian Evidence Act?

(A) Section 45

(B) Section 46



(C) Section 50

(D) Section 51

Ans: (b)

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