



JHARKHAND JUDICIARY PRELIMS - 2016

- Which of the parts of the given sentence contains an error?
"One of my sister lives near the Indian Gate in New Delhi."
(a) One of my sister
(b) lives
(c) near the Indian Gate
(d) in New Delhi.
- Fill in the blank with a suitable form of verb in the following: My friend living in Mumbai since 2014.
(a) is
(b) has been
(c) is being
(d) was being
- Fill in the blank with an appropriate preposition.
They belong to the same party, but they don't agree party, but they don't agree everything.
(a) in
(b) at
(c) on
(d) with.
- The word 'millennium' refers to a period of:
(a) one hundred years
(b) one million years
(c) one thousand years
(d) ten thousand years.
- Fill in the blank with the suitable choice.
Delhi is than Shimla in May.
(a) hot
(b) hotter
(c) more hot
(d) more hotter.
- Which of the following is similar in meaning of "that which cannot be read"?
(a) Illegitimate
(b) Illegal
(c) Illegible
(d) Illogical
- Select the appropriate choice to fill in the blank in the sentence. tigers are ferocious.
(a) A
(b) The
(c) An
(d) No article is required.
- Identify the type of sentence given below:
Can you lend me your pen, please?
(a) Declarative
(b) Operative
(c) Imperative
(d) Interrogative.
- An ophthalmologist treats the disorders of:
(a) Skin
(b) Heart
(c) Eye
(d) Brain.
- The word "terrestrial" means connected with:
(a) Water
(b) Land
(c) Space
(d) Air.
- Who appoints the Judges of High Courts of India?
(a) Prime Minister
(b) Chief Justice of India
(c) President of India
(d) Law Minister of India.

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12. The year of Quit India Movement is.....
(a) 1930
(b) 1940
(c) 1942 D
(d) 1947.
13. Deficiency of which of the following Vitamins cause 'Night-blindness'?
(a) Vitamin B
(b) Vitamin A
(c) Vitamin C
(d) Vitamin D.
14. Which one of the following gases is the cause of 'Greenhouse effect' (warming of the earth surface)?
(a) Nitrogen oxide
(b) Nitrous oxide
(c) Carbon dioxide
(d) Carbon monoxide.
15. The UNO was formed on
(a) 24th October, 1945
(b) 23rd October, 1945
(c) 24th October, 1944
(d) 22nd October, 1944.
16. The American Journal 'Time' has chosen one of the following as 'the person of the year 2015':
(a) Angela Merkel
(b) Barack Obama
(c) Narendra Modi
(d) Margaret Thatcher.
17. Amravati is being made new capital of which of the following state?
(a) Goa
(b) Andhra Pradesh
(c) Mizoram
(d) Chhattisgarh
18. Justice Meenakshi Madan Rai has been sworn in as the first woman judge of High Court of which of the following states?
(a) Sikkim
(b) Kerala
(c) Tamil Nadu
(d) Delhi.
19. Who of the following is the writer of the book, 'Wings of Fire'?
(a) Sarojini Naidu
(b) A.P.J. Abdul Kalam
(c) Jagannath Pillai
(d) Amrita Pritam.
20. Cristiano Ronaldo has recently been voted as a number one footballer. He hails from which of the following countries?
(a) Portugal
(b) Argentina
(c) Brazil
(d) Germany.
21. A Magistrate has the power to direct the police to investigate into an offence in Cr.P.C. under:
(a) Section 156(3) Cr.P.C.
(b) Section 156(2) Cr.P.C.
(c) Section 156(1) Cr.P.C.
(d) All of the above.
22. Under the scheme of Criminal Procedure Code non-cognizable offences are:
(a) Private wrongs
(b) Public wrongs
(c) Both public and private wrongs
(d) None of the above.
23. Under Section 159 of Cr.P.C., the Magistrate has the power to:
(a) Depute any Magistrate subordinate to him to hold a preliminary inquiry
(b) Direct-investigation by the police (c) Either (a) or (b)
(d) Only (b) and not (a).

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24. Under Section 167 of Cr.P.C. the nature of custody can be altered from judicial custody to police custody and vice-versa, this alteration can be done:
- (a) During the period of first seven days
 - (b) During the period of first fifteen days
 - (c) During the period of first fourteen days
 - (d) During the period of first ten days.
25. Cognizance of offence of defamation under Chapter XXI of IPC can be taken:
- (a) On a complaint made by an aggrieved person
 - (b) On a police report
 - (c) Suo motu
 - (d) All of the above.
26. Joint trial of several persons is permissible:
- (a) Under Section 219 of Cr.P.C.
 - (b) Under Section 221 of Cr.P.C.
 - (c) Under Section 222 of Cr.P.C.
 - (d) Under Section 223 of Cr.P.C.
27. Rule autre fois acquit or autre fois convict is contained:
- (a) Under Section 298 of Cr.P.C.
 - (b) Under Section 300 of Cr.P.C.
 - (c) Under Section 320 of Cr.P.C.
 - (d) Under Section 321 of Cr.P.C.
28. In which of the following cases the Supreme Court held that the High Court cannot directly entertain bail application of POTA accused without its refusal by special court?
- (a) State of Gujarat v. Santosh Kumar
 - (b) State of Gujarat v. Shalimbhai Abdul Gaffar Shaikh
 - (c) State of Uttar Pradesh v. S.N. Srivastava
 - (d) State of Maharashtra v. S.K. Dhinde.
29. 'A Legal Remembrancer cannot be made ex-officio public prosecutor.' This was held in:
- (a) State of Kerala v. Karveetil Krishnan
 - (b) V. Ramachandra v.M.C. Jagadodharana
 - (c) Vijay v. State of Maharashtra
 - (d) None of the above.
30. Urgent cases of Nuisance or apprehended danger falls under:
- (a) Section 146 of Cr.P.C.
 - (b) Section 144 of Cr.P.C.
 - (c) Section 142 of Cr.P.C.
 - (d) Section 140 of Cr.P.C.
31. When warrant also cannot be executed the court may proceed under?
- (a) Section 83 and 84 of Cr.P.C.
 - (b) Section 82 and 83 of Cr.P.C.
 - (c) Section 81 and 82 of Cr.P.C.
 - (d) Section 80 and 81 of Cr.P.C.
32. Plea Bargaining a new chapter, added in Criminal Procedure Code, 1973 by the Criminal Law Amendment Act, 2005 (2 of 2006) is contained in:
- (a) Section 265A to 265N
 - (b) Section 265A to 265M
 - (c) Section 265A to 265L
 - (d) Section 265A to 265E
33. A Magistrate may under Section 252 or Section 255 of C:P.C. convict the accused of any offence triable under:
- (a) Chapter XIX of Cr.P.C.
 - (b) Chapter XX of Cr.P.C.
 - (c) Chapter XXI of Cr.P.C.
 - (d) Chapter XV of Cr.P.C.





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34. In which of the following cases the Supreme Court held, that FIR was not substantive evidence and could only be used to corroborate its maker?
- Anil Kumar v. B.S. Neelakanta, AIR 2010 SC 2715
 - Viveta Gazra v. State, AIR 2010 SC 2712
 - Union of India v. A. Kumar, AIR 2010 SC 2735
 - C. Magesh v. State of Karnataka, AIR 2010 SC 2768.
35. In summon-cases and inquiries, memorandum is the only:
- Record of witness
 - Record of accused statement
 - Record of evidence
 - Record of all statements.
36. If the accused is not acquitted under Section 232 of Cr.P.C. then the court calls upon him to enter on:
- His defence
 - His counsel
 - His version
 - His statement.
37. In case of anticipatory breach of contract, an aggrieved party:
- Has the right to claim performance at any time
 - Cannot claim any remedy as performance is still executory
 - May wait till the date of performance
 - Does not have the right to terminate the contract.
38. Which of the following statements is not correct?
- Acceptance must be communicated
 - Acceptance must be in writing
 - Oral acceptance is a valid acceptance
 - Acceptance must be in the prescribed manner.
39. The principle "Restitution stops where repayment begins" can be applied against:
- An alien enemy only
 - Any incapable person
 - Lunatics and idiots only
 - Minors only.
40. Promissory estoppels is sometimes spoken of as a substitute for:
- Quasi contract
 - Consideration
 - Coercion
 - Novation.
41. A change of nature of obligation of a contract is known as:
- Alteration
 - Repudiation
 - Rescission
 - Novation
42. A notice in the newspapers inviting tenders is:
- An invitation for negotiation
 - A promise
 - An invitation to proposal
 - A proposal.
43. Examine the following statements:
- Every contract is an agreement
 - Every agreement is a contract
 - Every lawful civil obligation is a contract
 - Every contract has a legally enforceable civil obligation
44. Which of these statements are correct?
- (1) and (4)
 - (1) and (2)
 - (2) and (3)
 - (3) and (4)

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44. **Union of India v. Maddala Thathaiah is an illustration, where the tender was in the form of:**
- (a) Public offer
 - (b) Standing offer
 - (c) Specific offer
 - (d) General offer
45. **The rule laid down in Adam v. Lindsell was approved by the House of Lords in:**
- (a) Dunlop v. Higgins
 - (b) Eliason v. Henshaw
 - (c) Powell v. Lee
 - (d) Hyde v. Wrench.
46. **Which one of the following agreements is held to be opposed to public policy?**
- (a) The arbitration clause for the application of foreign law
 - (b) Payment in foreign currency
 - (c) Agreement for payment of less salary
 - (d) Arbitrators residing in the foreign country.
47. **The facts of Griffith v. Brymer would attract Section 20 and facts of Krell v. Henry attract:**
- (a) Section 20 of the Indian Contract Act, 1872
 - (b) Section 10 of the Indian Contract Act, 1872
 - (c) Section 12 of the Indian Contract Act, 1872
 - (d) Section 56 of the Indian Contract Act, 1872.
48. **The obligation to restore advantage in a void agreement is provided by:**
- (a) Section 65 of the Indian Contract Act, 1872
 - (b) Section 60 of the Indian Contract Act, 1872
 - (c) Section 63 of the Indian Contract Act, 1872
 - (d) Section 68 of the Indian Contract Act, 1872.
49. **A continuing guarantee under Section 130 is:**
- (a) Irrevocable absolutely
 - (b) Revocable as regards future transaction
 - (c) Revocable absolutely
 - (d) Either (a) or (b).
50. **For the purpose of pledge, delivery of possession of goods:**
- (a) May be symbolic
 - (b) Either actual or constructive
 - (c) May be constructive
 - (d) Has to be actual.
51. **A valid lease can be determined by:**
- (a) Force majeure
 - (b) Frustration
 - (c) Efflux of time
 - (d) None of the above.
52. **There can also be by estoppels.**
- (a) Sale II
 - (b) Ownership
 - (c) Fraud
 - (d) Possession.
53. **Causing of the death of child in the mother's womb is not homicide as provided**
- (a) Explanation V to Section 300
 - (b) Explanation I to Section 299
 - (c) Explanation II to Section 299
 - (d) Explanation III to Section 299.
54. **Section 511 does not apply in case of:**
- (a) Attempt of riot
 - (b) Attempt of theft
 - (c) Attempt of affray
 - (d) Attempt of murder.





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55. **Assault cannot be caused by:**
(a) Mere gestures
(b) Mere words
(c) Mere preparation
(d) All the above.
56. **Personating a public servant is an offence:**
(a) Under Section 186 of IPC
(b) Under Section 171 of IPC
(c) Under Section 170 of IPC
(d) Under Section 169 of IPC.
57. **The Supreme Court of India has observed a clear distinction between dishonestly and fraudulently in the case of:**
(a) Nathu Lal v. State of M.P.
(b) Central Bank of India v. Narain
(c) Mubarik Ali v. State of Bombay
(d) Vimla Devi v. Delhi Administration.
58. **The minimum duration of imprisonment provided for an offence under the Indian Penal Code is imprisonment for: and Beyond**
(a) Twenty-four hours under Section 511
(b) Twenty-four hours under Section 510
(c) Sentence of 20 hours under Section 510
(d) Sentence of imprisonment till rising of the court under Section 511.
59. **The principle underlying in Section 95 of IPC is:**
(a) De minimis non curat lex
(b) Volenti non fit injuria
(c) Non compos mentis
(d) Actus me invito factus non est mens actus.
60. **Section 97 of IPC expressly states that the right of private defence is subject to the restrictions contained in:**
(a) Section 99 of IPC
(b) Section 100 of IPC
(c) Section 98 of IPC
(d) Section 102 of IPC.
61. **The language of Part third of Section 105 is similar to that of:**
(a) Section 39 of IPC
(b) Section 37 of IPC
(c) Section 38 of IPC
(d) Section 40 of IPC
62. **Which of the following Sections of IPC has incorporated the English law known as principal in the Second degree?**
(a) Section 114
(b) Section 112
(c) Section 110
(d) Section 109
63. **The definition of criminal conspiracy in Section 120-A, IPC has been taken from that given in:**
(a) Mulcahy v. Queen
(b) Quinn v. Leatham
(c) Abdul Rehman v. Emperor
(d) Rv. Vincent.
64. **Homicide cannot be defined as killing of a person by a person in view of the nature of the definition of the word 'person' in:**
(a) Section 13 of the Indian Penal Code
(b) Section 11 of the Indian Penal Code
(c) Section 9 of the Indian Penal Code
(d) Section 7 of the Indian Penal Code.
65. **The requirement of possession has been highlighted by illustrations:**
(a) (a), (b), (c) and (d) in Section 378 of IPC

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- (b) (b), (c), (d) and (e) in Section 278 of IPC
- (c) (c), (d), (e) and (f) in Section 378 of IPC
- (d) (d), (e), (f) and (g) in Section 378 of IPC.
66. Theft under Indian Penal Code differs from larceny in English Law which contemplated:
- (a) Permanent gain and loss
- (b) Loss of property
- (c) Moving of property
- (d) Denying the owner of his property.
67. 'A' instigates 'B' to murder 'C' who refuses to do so. 'A' is guilty of:
- (a) Abetment to commit murder
- (b) No offence
- (c) Criminal conspiracy
- (d) Criminal instigation.
68. Which one of the following brings out the distinction between Section 34 and 149 of the IPC?
- (a) Section 149 creates a specific offence whereas Section 34 does not
- (b) Section 34 creates a specific offence whereas Section 149 does not
- (c) Section 34 as well as Section 149 create specific offences
- (d) Section 34 as well as Section 149 do not create specific offences.
69. The Code of Civil Procedure (Amendment) Act, 2002 permits evidence in the form of:
- (a) Petition
- (b) Affidavits
- (c) Statements
- (d) Documents
70. It has been held by the Supreme Court in R.M. Malkani v. State of Maharashtra that a contemporaneous tape-record of a relevant conversation is a relevant fact. It is:
- (a) Relevant
- (b) Res gestae
- (c) Admissible
- (d) Documents
71. Section 11 of the Indian Evidence Act enables a person charged with a crime to take what is commonly called the plea of:
- (a) res gestae
- (b) lis pendens
- (c) alibi
- (d) res-judicata
72. A judicial admission operates as:
- (a) an admission
- (b) a confession
- (c) a plea of ignorance
- (d) a waiver of proof.
73. The burden of proof means the obligation to prove a fact. This is defined under:
- (a) Section 201 of the Indian Evidence Act
- (b) Section 101 of the Indian Evidence Act
- (c) Section 200 of the Indian Evidence Act
- (d) Section 100 of the Indian Evidence Act.
74. The principle stated in Section 106 of the Indian Evidence Act is an application of the principle of:
- (a) res gestae
- (b) res ipsa loquitur
- (c) res-judicata
- (d) rebus sic stantibus
75. Leading questions can always be asked:
- (a) in second examination
- (b) in re-examination
- (c) in cross-examination
- (d) in first examination





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76. **Alibi is governed by:**
(a) Section 8 of Evidence Act
(b) Section 6 of Evidence Act
(c) Section 11 of Evidence Act
(d) Section 12 of Evidence Act.
77. **Admissions made by a party are evidence against:**
(a) Privies in estate
(b) Privies in law
(c) Privies in blood
(d) All of the above.
78. **Communication made 'without prejudice' are protected:**
(a) Under Section 21 of Evidence Act
(b) Under Section 24 of Evidence Act
(c) Under Section 23 of Evidence Act
(d) Under Section 22 of Evidence Act.
79. **'Necessity rule' as to the admissibility of evidence is contained in:**
(a) Section 61 of Evidence Act
(b) Section 60 of Evidence Act
(c) Section 32 of Evidence Act
(d) Section 31 of Evidence Act.
80. **The res inter alia acta is receivable:**
(a) Under Section 48 of Evidence Act
(b) Under Section 47 of Evidence Act
(c) Under Section 46 of Evidence Act
(d) Under Section 45 of Evidence Act.
81. **Section 92 of Evidence Act applies to:**
(a) Bilateral documents
(b) Unilateral documents
(c) Both (a) and (b)
(d) Either (a) and (b).
82. **Estoppel:**
(a) Need not be specifically pleaded
(b) Should be specifically pleaded
(c) May be specifically pleaded or may not be specifically pleaded
(d) Both (b) & (c) are correct.
83. **Zahira Sheikh was prime witness in:**
(a) Best Bakery retrial case (2006)
(b) Best Bakery case (2004)
(c) Sukh Ram disproportionate assets case (2005)
(d) Gujjar Killings case (2003).
84. **The presumption under Section 41 of Evidence Act is a:**
(a) Presumption of fact
(b) Rebuttable presumption of law
(c) Presumption of fact & law
(d) Irrebuttable presumption of law.
85. **Pecuniary jurisdiction of the court has been dealt with in:**
(a) Section 6 of CPC
(b) Section 5 of CPC
(c) Section 4 of CPC
(d) Section 3 of CPC.
86. **Section 20 of CPC does not apply to:**
(a) Arbitration proceedings
(b) Civil proceedings
(c) Both (a) & (b)
(d) Neither (a) nor (b).
87. **Under Order IV, Rule 1, sub-rule (1) of CPC, a suit is instituted when:**
(a) a plaint in duplicate is presented to the court
(b) a plaint is presented to the court
(c) a plaint in triplicate is presented to the court
(d) either (a) or (b) or (c).
88. **A suit in representative capacity can be filed by virtue of:**
(a) Order I, Rule 8A of CPC
(b) Order I, Rule 10A of CPCC A D M
(c) Order I, Rule 8 of CPC
(d) Order I, Rule 9 of CPC
89. **List of witnesses, after settlement of issues, must be filed within:**

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- (a) 60 days
(b) 45 days
(c) 30 days
(d) 15 days
90. 'Pleading' can be altered or amended:
(a) under Order VI, Rule 9 of CPC
(b) under Order VI, Rule 10 of CPC
(c) under Order VI, Rule 16 of CPC
(d) under Order VI, Rule 17 of CPC
91. A suit can be dismissed in default:
(a) under Order IX, Rule 2 of CPC
(b) under Order IX, Rule 3 of CPC
(c) under Order IX, Rule 8 of CPC
(d) both (b) & (c).
92. An application under Order IX, Rule 7 of CPC can be made:
(a) within 60 days of the Order
(b) within 30 days of the Order
(c) at any time on or before the next date of hearing
(d) any time during the pendency of the suit.
93. Judgment on admission can be given:
(a) under Order XII, Rule 2 of CPC
(b) under Order XII, Rule 4 of CPC
(c) under Order XII, Rule 6 of CPC
(d) under Order XII, Rule 8 of CPC.
94. Judgment & decree have been dealt in CPC:
(a) under Order XX
(b) under Order XXI
(c) under Order XX-A
(d) under Order XIX
95. Provisions relating to interpleader suit are contained in:
(a) Order XXXVI of CPC
(b) Order XXII of CPC
(c) Order XXXIV of CPC
(d) Order XXXV of CPC.
96. Order XII, Rule 8 of CPC pertains to:
(a) notice to admit fact(s)
(b) notice to admit document(s)
(c) notice to produce document(s)
(d) both (a) and (b).
97. Under which section of CPC the principles of equity, justice and good conscience are prescribed?
(a) Section 121
(b) Section 131
(c) Section 141
(d) Section 151
98. Which of the following decision is not a decree within the meaning of Section 2(2) of CPC?
(a) Dismissal of an application for final decree
(b) Award of tribunal in land acquisition case
(c) An order of abatement
(d) Order modifying a scheme under Section 92.
99. Which of the following is a suit of civil nature?
(a) Suits for upholding mere dignity or honour
(b) Suits for accounts
(c) Suits expressly barred by some enactment
(d) Suits relating to political questions.
100. The material facts on which a party relies are called:
(a) facta probantia
(b) facta probanda
(c) falsa demonstratio non nocet
(d) fences terraria

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ANSWER-KEY

1	(c)	26	(a)	51	(b)	76	(c)
2	(d)	27	Deleted	52	(b)	77	(b)
3	(b)	28	(c)	53	(b)	78	(b)
4	(a)	29	(b)	54	(d)	79	(b)
5	(d)	30	Deleted	55	Deleted	80	(b)
6	(b)	31	(c)	56	(b)	81	(c)
7	(c)	32	(c)	57	(c)	82	(c)
8	(c)	33	(d)	58	(a)	83	(c)
9	(c)	34	(c)	59	(c)	84	(d)
10	(b)	35	(d)	60	(c)	85	(d)
11	(a)	36	(a)	61	(b)	86	(b)
12	(b)	37	(c)	62	(d)	87	(c)
13	(c)	38	(c)	63	(b)	88	(d)
14	(d)	39	(a)	64	(a)	89	(b)
15	(b)	40	(d)	65	(c)	90	(c)
16	(a)	41	(c)	66	(d)	91	(d)
17	(b)	42	(d)	67	(c)	92	(a)
18	Deleted	43	(c)	68	(d)	93	(d)
19	(d)	44	(d)	69	(a)	94	(b)
20	(c)	45	(a)	70	(c)	95	(d)
21	(a)	46	(b)	71	(d)	96	(a)
22	(c)	47	(a)	72	(d)	97	(a)
23	(d)	48	(b)	73	(c)	98	(b)
24	(b)	49	(a)	74	(b)	99	(b)
25	(a)	50	(b)	75	(b)	100	(b)

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