

# Bharatiya Nyaya Sanhita, 2023

Prelims MCQs,  
Mains & Interview Questions



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## Linking Publication

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# Preface

Hello & नमस्कार,

Since 2011, when I entered in Law field, I have felt that current system of studying law as a Law learner is quite traditional (like 1980's competition times). I strongly believed one thing that if you want to fight in present tough competition war like judiciary exams or any other law exam, you must be equipped with smart techniques to learn with tech support. So, in student life as LL.B. student, I used to start linking with one provision other similar provisions at same time, so that I can recall multiple sections/concepts in one MCQs.

Along with that I do believe in one statement, "वर्तमान को समझने के लिए, अतीत को देखें और फिर भविष्य के बारे में सोचना शुरू करें". This statement is directly linked with every student life. So, I found previous papers helpful to understand previous exam level, source of question asked in those exam etc. But frankly saying, I was not satisfied with traditional way of just solving previous exam papers MCQs, instead I decided that to get better output in preparation, we need to analysis the previous paper subject wise rather year wise.

All these ideas, efforts, and experiences have come together in one powerful initiative—"Paperathon." It's not just a study tool; it's a movement towards smarter, sharper, and Subject wise strategic judiciary preparation. It is featured with the Linking Technique—a modern, game-changing approach that connects concepts, laws, and real-world application like never before.

In **Prelims**, you'll get linked provisions with clear explanations, helping you master the 'why' behind every question. In **Mains**, you'll learn how to write answers that don't just inform but impress—through linking-based structure and analysis. And for the **Interview**, Paperathon brings you exclusive, real-time Questions & Answers straight from those who've cracked it—now proudly serving as Civil Judges across various states.

This is more than preparation—it's transformation. And I truly believe Paperathon will save you time, boost your confidence, and help you walk into every stage of the exam with clarity, strategy, and a winning edge.

"Don't just prepare. Link your preparation with purpose, precision, and power."

With belief in your journey,

- Tansukh Paliwal

Founder of Linking Laws

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## BNS, 2023 PRELIMS PAPERATHON

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# BNS, 2023 PRELIMS PAPERATHON

## Ch. - I : Preliminary (1-3)

### Ch. - I : Preliminary (1-3)

1. **When did Indian Penal Code 1860 come in to force?**

- (a) 1860
- (b) 1861
- (c) 1862
- (d) 1863

Ans. [c]

**Linked Provision :-** Sec.1 IPC.(1 BNS)

**Explanation:** IPC was enacted on 6th October, 1860, and brought into force fifteen months later on the 1st January, 1862.

2. **Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person is said to do that thing:**

- (a) Fraudulently
- (b) Dishonestly
- (c) Wrongfully
- (d) Mischievously

Ans. [b]

**Linked Provision:** L/w sec.24 (2(7) BNS), 209 (246 BNS), 246-247 (deleted), 369 (97 BNS), 378 (303(1) BNS), 383 (308(1) BNS), 403-405 (314-316 BNS), 411-412 (317 (2)-(3) BNS), 420-424 (318-323 BNS), 439 (328 BNS), 461-462 (334 BNS), 464 (335 BNS), 471, 474 (339 BNS), 477 (343 BNS), 496 IPC (83 BNS).

3. **Doctrine of mens rea is Not attracted to which of the following categories of offences?**

- (a) Relating to fraud
- (b) Relating to bodily injury
- (c) Relating to offence against state
- (d) Strict liability

Ans. [d]

**Linked Provision:-** Sec.34 IPC. (3(5)BNS)

**Explanation:** Mens rea means a wrongful intention. The maxim means that an act does not itself make one guilty unless the mind is also guilty. Strict liability crimes, also known as public welfare offences, are crimes that do not require mens rea.

4. **To which of the following is Indian Penal Code not applicable?**

- (a) State of J & K
- (b) A foreigner committing offence in India
- (c) Offence committed on Indian Aircraft flying over territory of Japan
- (d) A foreigner committing offence in territorial water of India

Ans. [a]

**Linked Provision :-** Sec.1 IPC. (1 BNS)

**Explanation:** Indian Penal Code extends to whole of India including state of J&K after J & K State Reorganisation Act 2019 (34 of 2019) (w. e. f. 31-10-2019). Earlier it was applicable to whole of India except state of J & K.

5. **The word "Public servant" denotes a person falling under-**

- (a) A commissioned officer in the military
- (b) Every judge empowered by Law to do any adjudicatory functions
- (c) Every Officer of Court of justice
- (d) All the above

Ans. [d]

**Linked Provision:** sec.21 (2(28) BNS), L/w 14 (deleted), 19 (2(16) BNS), 20 IPC (2(5) BNS), 2(17) CPC.

6. **Section 29A of I.P.C. is related to.**

- (a) Documents
- (b) Valuable Security
- (c) Electronic record
- (d) None of the above

Ans. [c]

**Linked Provision:** - sec.17, 22A, 34, 35, 39, 45A, 59, 65A, 65B, 67A, 81A, 85A, 88A, 90A, 131 IEA.

**Explanation:** Sec.29A inserted in 2000 w.e.f.17-10-2000. Documents- **sec.29 (2(8) BNS)**

Valuable Security- **sec.30 (2(31) BNS)**

Electronic record- **sec.29A (2(39) BNS)**

7. **Which are the two essential elements of an offence?**

- (a) Motive and Act
- (b) Motive and Conviction
- (c) Motive and Injury
- (d) Preparation and Punishment

Ans. [a]

**Linked Provision :-** Sec. 40 IPC (2(24) BNS), 2(n) Cr.P.C. (2 BNSS)

**Explanation:** It is generally agreed that the essential ingredients of any crime are (1) a voluntary act or omission (actus reus), accompanied by (2) a certain state of mind (mens rea).

8. **The word 'Court of Justice' has been defined under which Section of I.P.C.?**

- (A) Section 19
- (B) Section 20
- (C) Section 30
- (D) Section 25

Ans. [B]

**Linked Provision-** Sec.20 (2(5) BNS), L/w sec.19 IPC. (2(16) BNS)

**Explanation-** Sec.20 defines the term "court of justice". As per this sec., the term "Court of Justice" denote a Judge who is empowered by law to act judicially alone, or a body of Judges which is empowered by law to act judicially as a body, when such Judge or body of Judges is acting judicially.

9. **In Indian Penal Code the pronoun "he" and its derivatives are used for-**

- (a) Male
- (b) Female
- (c) Any person whether male or female
- (d) Such words are not used in the Code

# BNS, 2023 PRELIMS PAPERATHON

## Ch. - I : Preliminary (1-3)

Ans. [c]

**Linked Provisions:-** In sec. 354- 'she' includes woman also. Even a woman can outrage the modesty of a woman.

**Explanation -** Sec. 8 - Where gender-masculine words are used, they are applicable to both men and women.

**10. Which of the following statements is not correct:**

- (a) In a criminal act done by several persons in furtherance of common intention of all, each of them will be held liable for that act
- (b) In an act done by several persons, the act being criminal only by reason of its being done with criminal knowledge or intention, all persons joining in the act, irrespective of such knowledge or intention, will be held liable for that act.
- (c) In an offence done by means of several acts, all the persons intentionally cooperating in that act by doing any of those acts, will be held liable for that offence.
- (d) In a criminal act done by several persons, all may be held liable for different offences by means of that act.

Ans. [b]

**Explanation -** Sec. 36 - When it is a case of common intention and the act is an offence by reason of criminal knowledge or intention then the knowledge or intention of all the persons shall be seen.

**Principle of joint liability:-** Section 34, Section 149, Section 376D, Section 396, Section 460.

**11. 5 persons take illegal possession of a field. The owner (the complainant party) of the field collects his supporters and goes to the field for ousting the trespassers therefrom. In the free fight, which ensues, the trespassers kill one person from the complainant side. All The accused can be convicted :**

- (a) With the aid of section 34 of IPC.
- (b) With the aid of section 149 of IPC.
- (c) For the individual injuries caused to the members of the complainant party.
- (d) None of the above

Ans. [c]

**Linked Provisions:-**The provisions of the Indian Penal Code, 1860 where the offence is committed by more than one person and all are liable:-

- i) Section 34 - common intention
- ii) Section 149 common object
- iii) Section 376D gang rape
- iv) Section 396 Dacoity including murder
- v) Section 460. Lurking house-trespass by night or house-breaking by night.

**Explanation -** Section 38 - Where several persons are engaged or concerned in doing any act, they may be guilty of different offences on the basis of that act.

**12. Under section 13 of Indian Penal Code, 1860, definition of 'Queen' was repealed by:**

- (1) Adaptation Order 1937
- (2) Adaptation Order 1950
- (3) Adaptation Order 1938
- (4) Adaptation Order 1951

Ans. (2)

**Explanation -** Section 13 - Rep. by the 'Queen's Law Adaptation Order, 1950'.

**13. 'A' knowing that her husband 'B' has committed murder, knowingly conceals in order to screen him from legal punishment, 'A' is liable for :**

- (a) Murder by reason of having common intention
- (b) Harboursing
- (c) Abatement by aid
- (d) "A" has committed no offence

Ans. [d]

**Linked Provision:-**

**1. Section 52-A [Sec. 2(13) BNS] - "Harbour".**

**2. Sec.201 (Sec. 238 BNS) -** Causing disappearance of evidence of offence, or giving false information to screen offender.

**Explanation:-** The offence of Harboursing is not applicable to husband and wife as per sec. 52A of IPC.

**14. "A" a police officer without warrant apprehends "Z" who has committed murder. "A" has committed the offence of:**

- (a) wrongful confinement
- (b) wrongful restraint
- (c) (a) and (b) both
- (d) no offence

Ans. [d]

**Linked Provision:-**

**1. Sec. 76 (Sec. 14 BNS) -** Act done by a person bound, or by mistake of fact believing himself bound by law.

**2. Sec. 340 (Sec. 127 BNS) -** Wrongful confinement.

**Explanation:-** this case falls within the general exception which provides that "nothing is an offence which is done by a person who is bound by law to do it".

**15. "In every statute means-rea is to be implied unless the contrary is show." This view was expressed in:**

- (a) Sheras v. De-Rutzen
- (b) Rv. Dudley and Stephen
- (c) Harding v. Price
- (d) Rv. Prince

Ans. [a]

**Explanation:-** *Mens rea* is generally taken to mean some blameworthy mental condition, whether constituted by intention or knowledge or otherwise, the absence of which any particular occasion negatives the intention of the crime.

# **BHARATIYA NYAYA SANHITA, 2023 (IPC, 1860)**

## **Interview Questions – Solved**

Sample Preview



# BNS MAINS PAPERATHON

Bharatiya Nyaya Sanhita, 2023 (IPC, 1860)

## Bharatiya Nyaya Sanhita, 2023 (IPC, 1860)

### Chapter I

#### Nature, Definition, Meaning and Elements of Crime

1. Write short note Mens Rea.

[UP PCS(J) 1982, PJS 1995(II), M.P. CJ 2014]

Or

**Mensrea is an essential element in every crime.' Explain this rule and state to what extent it is applicable to the offences under the Indian Penal Code, 1860.**

[JHARKHAND PCS(J) 2014]

Or

**Discuss the doctrine of Mensrea. How has it been diluted in the case of strict liability offences?**

[HJS 1988]

Or

**What do you understand by Mens Rea? What is the importance of mensrea under the Indian Penal Code, 1860? Discuss.**

[UP PCS(J) 2016]

**Ans.-** Mens Rea refers to the mental element or guilty mind necessary to constitute a crime. It implies the intention or knowledge of wrongdoing while committing an offense. Mens rea is a crucial component in criminal law because it distinguishes between accidental actions and those done with criminal intent.

In the Indian Penal Code (IPC), the requirement of mens rea can be found in terms like "dishonestly" (S 24) (2(7) BNS), "fraudulently" (S 25) (2(9) BNS), and "voluntarily" (S 39) (2(33) BNS). For example, in offenses like theft (S 378) (303(1) BNS), the person must have dishonest intent to take property.

Without mens rea, certain acts may not be considered crimes. However, strict liability offenses under BNS do not require proof of mens rea.

2. **What is meant by Mens Rea? Explain the dictum "actus non facit reum nisi mens sit rea". How far a motive necessary for determining a crime? Are there any exceptions to the dictum of Mens Rea? Illustrate your answer.**

[HJS 1996, UP PCS(J) 2012]

**Ans.-** Mens Rea refers to the mental element or guilty mind necessary to constitute a crime. It implies the intention or knowledge of wrongdoing while committing an offense. Mens rea is a crucial component in criminal law because it distinguishes between accidental actions and those done with criminal intent. In the Indian Penal Code (IPC), the requirement of mens rea can be found in terms like "dishonestly" (S 24) (2(7) BNS), "fraudulently" (S 25) (2(9) BNS), and "voluntarily" (S 39) (2(33) BNS). For example, in offenses like theft (S 378) (303(1) BNS), the person must have dishonest intent to take property.

The Latin maxim "actus non facit reum nisi mens sit rea" translates to "an act does not make a person guilty unless there is a guilty mind." It means that, to constitute a crime, both a wrongful act (actus reus) and a guilty mind (mens rea) must be present. This rule ensures that a person is punished only when they intend to commit a crime or have knowledge of their wrongful actions.

Motive is the underlying reason why a person commits a crime, but it is distinct from mens rea. While mens rea focuses on the intent or knowledge during the crime, motive explains why the crime was committed. Motive is generally not necessary to prove criminal liability, though it may help determine the severity of punishment or influence the judge's discretion.

Exceptions to Mens Rea: Certain offenses under the Indian Penal Code (IPC) do not require mens rea. These are often strict liability offenses, where the mere commission of the act makes the person liable, regardless of intent. Examples include:

- Public Nuisance (S 268 IPC) (270 BNS): Does not require mens rea.
- Abetment by public servant (S 166A IPC) (199 BNS) : Involves strict liability for acts done in violation of public duty.
- Regulatory offenses, like those related to public health and safety, do not require proof of mens rea.

In these cases, the focus is on the act itself rather than the intent behind it.



**BNS MAINS PAPERATHON**  
**Bharatiya Nyaya Sanhita, 2023 (IPC, 1860)**

**After the Threat:**

- o The right does not extend to actions taken after the threat has ended. If the attacker has fled or the threat is no longer imminent, the right to private defence ceases.

**(b) Write a note on "de minimis non curat lex".**

[UK PCS(J) 2014]

**Ans.-** The Latin phrase "de minimis non curat lex" translates to "the law does not concern itself with trifles." This legal doctrine asserts that minor issues or trivial matters are not worth the court's time or intervention.

- The doctrine emphasizes that the legal system should focus on significant issues that have a real impact on society rather than wasting resources on trivial disputes. This helps maintain judicial efficiency and prevents the legal system from being bogged down by minor grievances.
- : De minimis is often invoked in tort and criminal law. For example, in tort cases, a court may dismiss claims where the harm or injury is negligible, such as slight property damage or minimal personal injury. In criminal law, it may apply to minor infractions where prosecution is deemed unnecessary.
- Courts have the discretion to apply this principle, often considering the circumstances of each case to determine if the matter at hand is trivial enough to fall under this doctrine.
- While de minimis is a useful principle, it does not apply universally. Serious or repetitive minor offences can lead to significant cumulative effects, warranting legal intervention.

**(c) 'A' see that 'B' is doing an act which he seems murder. 'A' caught 'B' with intention to give him to Police, in good faith. Has 'A' committed any offence ?**

[UK PCS(J) 2014]

**Ans.-** In this scenario, A has acted with good faith and with the intention of preventing a crime (murder) by detaining B until the police can be notified.

A's intention to act in good faith is crucial. A believed that B was committing murder, which justifies A's intervention. Since A did not intend to cause harm but rather to protect potential victims and act in the public interest, this further supports the argument that A did not commit an offence.

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# BNS MAINS PAPERATHON

Bharatiya Nyaya Sanhita, 2023 (IPC, 1860)

## Chapter II

### Principle of Joint Liability

1. Section 34(3(5) BNS) of the Indian Penal Code, 1860, does not create any joint liability.

[GJS 2017]

OR

"The essence of joint responsibility lies in the common intention to commit the offence actually committed." Discuss.

[UP PCS(J) 2006]

**Ans.-** Section 34 (3(5) BNS) of (IPC) states that when criminal conduct is committed by numerous people in pursuit of a 'common intention', each of them is accountable for the crime in the same way as if it were committed by him alone.

Section 34 (3(5) BNS) only provides a broad concept of joint culpability. It does not result in any significant or appropriate offence. There is no mention of any specific offence. If two or more individuals conduct a crime in furtherance of a common intention, they might be held jointly responsible for an IPC offence. Thus, if the requirements of Section 34 (3(5) BNS)IPC are met, two or more individuals might be found accountable for any offence listed in that section

A criminal act committed by the entire group is required to establish joint culpability. It is critical that the court determine some illegal conduct was committed with the group's cooperation in pursuit of the common intention. The individual who initiates or assists in the conduct of the crime must physically do an act to facilitate the commission of the real (planned) crime.

Therefore, the above phase is no correct and section 34 (3(5) BNS) creates joint liability.

2. "Every person shall be liable to punishment under this Code (I.P.C.) and not otherwise for every act or omits contrary to the provision there of which he shall be guilty, within India". Discuss and state the exceptions of rule, if any.

[JHARKHAND PCS(J) 2017]

**Ans.-** Section 2 (1(3) BNS) of the Indian Penal Code deals with the intra territorial jurisdiction of the Code. It makes the code universally applicable on all the persons on every act or omission contrary to the provisions of the Act.

It states that every person who commits an act or omits to do an act which is contrary to the provisions of the code shall be liable for punishment. Here, every wrongdoer is made liable for punishment without any discrimination on the basis of his nationality, rank, caste or creed.

The only requirement under this Section to incriminate a person is that he should commit the act or omission within the territory of India. Thus a foreigner who committed a wrong within the territory of the country cannot plead ignorance of Indian law. However, there are exceptions to the universal application of the code and so specific class of people are immune from criminal liability, the class of people include:

- Foreign sovereign;
- Diplomats;
- Enemy aliens;
- foreign army and warships;
- President and governors.

3. Distinguish between rioting and affray.

[UK PCS(J) 2015]

Or

Distinguish between riot and affray.

[UP PCS(J) 1984, 1997, 1999, 2012, HJS 1986, 2006, M.P. C] 2018]

**Ans.-** Distinction between Riot and Affray

Riot	Affray
May be committed in any one place, public or private	Must be committed in a public place and cannot be committed in a private place.
There must be common object and it must be one of the five mentioned in section 141.(189(1) BNS)	Must be committed by two or more (minimum number must be two).
Is generally premeditated.	There may be or may not be common object.

# **BHARATIYA NYAYA SANHITA, 2023 (IPC, 1860)**

## **Interview Questions – Solved**

Sample Preview

## BNS INTERVIEW QUESTIONS

### BHARATIYA NYAYA SANHITA, 2023 (IPC, 1860)

1. **How many sections are there under the Indian Penal Code?**  
**Ans.** Sir, 511 sections. (358 BNS, 2023)
2. **Section 511 is related to which offence?**  
**धारा 511 किस अपराध से संबंधित है ?**  
**Ans.** Section 511 is related to criminal attempt, which is not mentioned in the Code.
3. **When did the Indian Penal Code came into force?**  
**Ans.** Sir, on January 1, 1862. (1 JULY 2024 BNS)
4. **How many stages of offence?**  
**Ans.** Sir, four Intention, Preparation, Attempt and Completion of offence.
5. **Intention is punishable?**  
**Ans.** Intention is generally not punishable, only in certain circumstances, punishable eg. Assembling for purpose of committing dacoity (Section 402) (310 BNS), Criminal conspiracy (Section 120-A) (61 BNS)
6. **What is the difference between Preparation and Attempt?**  
**तैयारी और प्रयास में क्या अंतर है?**  
**Ans.** Preparation is not punishable except for certain offences whereas the attempt to commit an offence is always punishable.
7. **What are the essential elements of offence?**  
**अपराध के आवश्यक तत्व क्या हैं?**  
**Ans.** Sir,  
1. human or person, 2. act or omission,  
3. mens rea 4. damage.
8. **Mens-rea is applicable in Indian Penal Code?**  
**आपराधिक मन: स्थिति भारतीय दंड संहिता में लागू है?**  
**Ans.** Sir, negatively and positively both apply. As a general exception, absence of the rem is assumed. Not implemented under the definition of offence. it was not applied as an element of offence.
9. **What does Mens-rea mean?**  
**आपराधिक मन: स्थिति का क्या अर्थ है?**  
**Ans.** Mens-rea means act which committed with a guilty mind. actus reus equal to mens--rea.
10. **What does 'actus non facit reum nisi mens sit rea' mean?**  
**Ans.** An act committed by innocent mind is not an offence.
11. **Give a definition of dishonestly.**  
**Ans.** Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing dishonestly. (Section 24) [2(7) BNS]
12. **What is the difference between a common intention and a similar or same intention?**  
**Ans.** In common intention prior concert of minds is necessary whereas similar or same intent is not required.
13. **What is meant by 'Prior concerts of mind'?**  
**Ans.** Every person participating in the offence is aware of the intent of every other person.
14. **What is a meeting of mind?**  
**Ans.** Meeting of minds means that each one of the participants knows and concurs with the mind of each of the others.
15. **Define 'good faith'.**  
**Ans.** Nothing is said to be made or believed in 'good faith' which was made or believed without due care and attention. (Section 52) [2(11) BNS]
16. **What are the types of punishment?**  
**Ans.** Sir, 5 types,  
(i) death sentence,  
(ii) life imprisonment,  
(iii) imprisonment (two types-rigorous and simple)  
(iv) forfeiture of property and  
(v) fine.
17. **State the sections under which provision of death penalty has been made?**  
**Ans.** Section 121, 132, 194, 195-A, 302, 305, 307, 364-A, 376-A, 376-E and Section 396.  
[147, 160, 230, 232, 103, 107, 140, 66, 71, 310 BNS]
18. **Can life imprisonment be simple?**  
**Ans.** No, Sir, there is always rigorous imprisonment.
19. **What is the meaning of life imprisonment.**  
**Ans.** Life imprisonment means life imprisonment till death of the convicted person. (Case-Gopal Vinayak Godse v. State, 1961 SC, Kartar Singh v. State, 1985 SC.)
20. **Explain the sections related to the provision for minimum mandatory imprisonment.**  
**Ans.** Sections 304-B (80 BNS), 397 (311) and 398 (312 BNS), 376 to 376-E (64-71 BNS).
21. **What is the minimum imprisonment under the Indian Penal Code?**  
**Ans.** Sir, 24 Hours (Section 510) (355 BNS)
22. **What are the sections related to the property's forfeiture ?**  
**Ans.** Sir, sections 126, 127, 169 and 263-A. (154, 155, 157, 186 BNS)
23. **What are the sections under the Indian Penal Code related to fines only?**

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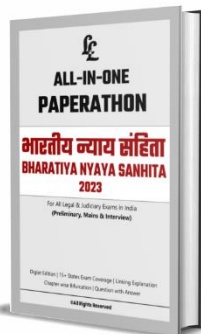
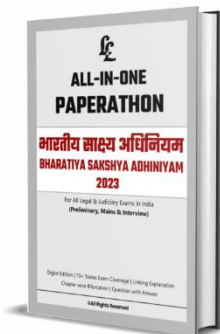
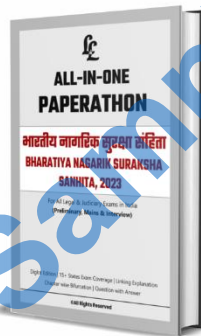
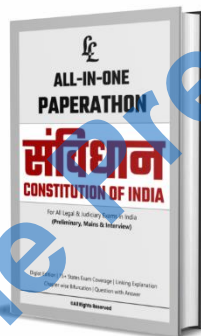
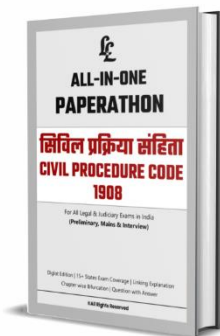
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