

BIHAR SUPERIOR JUDICIAL SERVICE

PRELIMINARY EXAMINATION

DISTRICT JUDGE (ENTRY LEVEL) DIRECT FROM BAR, 2023

INSTRUCTIONS TO THE CANDIDATES:

- I. All questions carry equal marks
- II. Every correct answer carries 3 marks.
- III. For every wrong answer, 1 mark shall be deducted.
- IV. Select the nearest correct answer from amongst the four answers given below each question.

*** Key answers to questions are in small letters like a, b, c and d whereas in the OMR sheet it is in Capital letters. Therefore, key answers to questions are to be read as Capital Letters for the purpose of answering.**

Time – 11.00 a.m to 1.00 p.m.

Candidates are directed to follow instructions as given in the admit card and separate sheet for filling up O.M.R. Sheet (Answer Sheet)

PART-I (LAW)

1. According to Sec. 2(b) of Cr.P.C., 1973, 'Charge' includes-
 - (a) Heading of Charge
 - (b) Any head of charge when the charge contains head.
 - (c) Any head of charge when the charge contains more heads than one.
 - (d) All the above.
2. As per the Amendment Act, 2008 of Cr.P.C., the new definition that was inserted under Sec. 2 (wa) is-
 - (a) Audio-Video Electronic means
 - (b) Victim
 - (c) Victim Compensation
 - (d) Victim Compensation Scheme
3. A contract to do or not to do something, if some event collateral to such contract does not happen, is known as-
 - (a) Wagering Agreement
 - (b) Quasi Contract
 - (c) Contingent Contract
 - (d) Impossible Contract
4. The involvement of five or more persons is essential for the offence of.

(a) Theft	(b) Extortion
(c) Robbery	(d) Dacoity
5. What is the punishment under Sec. 138 of N.I. Act.
 - (a) Imprisonment upto 2 years or with fine which may extend to twice the amount of cheque or with both.
 - (b) Imprisonment upto 2 years and with fine which may extend to twice the amount of cheque.
 - (c) Imprisonment for not less than 2 years and fine of Rs. 10,000.
 - (d) Imprisonment for not less than 2 years or fine of Rs. 10,000/- or with both

6. The limitation period for enforcement of a perpetual injunction is-
 - (a) 1 year
 - (b) 3 years
 - (c) 12 years
 - (d) None of the above.
7. As per Sec. 3 of Indian Evidence Act, Fact means and includes
 - (a) Physical Facts
 - (b) Psychological Facts.
 - (c) Both (a) and (b)
 - (d) Neither (a) nor (b)
8. The Doctrine of Part performance as laid down U/Sec.53-A of Transfer of Property Act, 1882, applies to-
 - (a) Movable property
 - (b) Immovable property
 - (c) Both Movable & Immovable Property
 - (d) None of the above.
9. As per Sec. 70 of the T.P. Act, a Condition restraining alienation of the Property is-
 - (a) Absolutely void
 - (b) Absolutely valid
 - (c) Ordinarily void, but in certain case valid
 - (d) Ordinarily valid, but in certain case void.
10. Order-43 of C.P.C. deals with-
 - (a) Appeals to Supreme Court
 - (b) Appeals from Appellate decrees
 - (c) Appeals from orders
 - (d) Appeals by indigent persons.
11. Sec. 148-A of C.P.C., 1908, deals with-
 - (a) Enlargement of time
 - (b) Enforcement of liability of Surety
 - (c) Right to lodge a Caveat
 - (d) Power to make up deficiency of Court fees.
12. What is the Limitation period for instituting a suit against the trustee or his legal representative for recovery of the trust property or for the accounts of such property.
 - (a) No such limitation period.
 - (b) 12 years.
 - (c) 3 years.
 - (d) 20 years.
13. Sec. 4 of Cr.P.C., the Code provides the procedure to be followed in-
 - (a) Investigation of an Offence
 - (b) Inquiry of an Offence
 - (c) Trial of an Offence
 - (d) All the above
14. As per Sec. 125 (4) of Cr.P.C., 1973 a wife is not entitled for maintenance-
 - (a) If she is living in adultery
 - (b) Without sufficient reason refuses to live with her husband.
 - (c) If they are living separately by mutual consent.
 - (d) (1), (2) and (3) are correct.
15. Joinder of accused is dealt under-
 - (a) Sec. 219 Cr.P.C.
 - (b) Sec. 220 Cr.P.C.
 - (c) Sec. 223 Cr.P.C.
 - (d) Sec 224 Cr.P.C.
16. Recalling of the witness in a Criminal case is permissible under Section
 - (a) 310 Cr.P.C.
 - (b) 311 Cr.P.C.
 - (c) 312 Cr.P.C.
 - (d) None of the above.

17. If two or more persons are related by blood or adoption wholly through males, they are known as-
- (a) Class I heirs (b) Class II heirs.
 - (c) Cognates (d) Agnates
18. Confession of one accused is admissible against Co-accused-
- (a) If they are tried for different offences but jointly.
 - (b) If they are tried for different offences but not jointly.
 - (c) If they are tried for same offences but jointly.
 - (d) If they are tried for same offences but not jointly.
19. To call a document an 'Ancient Document', it shall be of -
- (a) 90 years old. (b) 60 years old
 - (c) 30 years old (d) No such period is prescribed.
20. Mr. 'A' is tried for the murder of 'B' by intentionally shooting him dead. The fact that 'A' on other occasion shot at 'B' is relevant under -
- (a) Sec. 11 of Evidence Act. (b) Sec. 12 of Evidence Act.
 - (c) Sec. 73 of Evidence Act (d) Sec. 14 of Evidence Act
21. The provision of rejection & return of Plaint in CPC is provided-
- (a) U/O 7 R11 & O7 R 10 respectively of CPC
 - (b) U/O 7 R10 & O7 R 11 respectively of CPC
 - (c) U/O 6 R17 & O7 R 11 respectively
 - (d) None of the above
22. Suit for redemption and Foreclosure has to be filed by
- (a) A mortgagor and mortgagee respectively.
 - (b) A mortgagee and mortgagor respectively.
 - (c) Both can file either.
 - (d) None can file either.
23. The Indian Christian Marriage Act, 1872 deals with the marriage to be solemnized between persons
- (a) Both of whom shall be Christian.
 - (b) Either of whom shall be Christian.
 - (c) Both a and b.
 - (d) None of the above.
24. Under Section 63 of Sale of Goods Act, 1930, reasonable time is basically
- (a) Question of law (b) Question of fact
 - (c) Mixed question of law and fact (d) None of the above
25. A partnership firm is
- (a) A juristic person
 - (b) A distinct legal entity from its partners.
 - (c) Not a distinct legal entity from its partners.
 - (d) None of the above.
26. A partner can retire by notice of his intention to retire where
- (a) Partnership is for specified period
 - (b) Partnership at will
 - (c) Both a and b
 - (d) None of the above.

27. The provision of trial of all cases under NI Act, 1882 run as-

- (a) Summary Trial
- (b) Summons trial
- (c) Warrants trial
- (d) Sessional trial.

28. Interim measure etc. by the Court under Section 9 and by the Arbitral Tribunals under Section 17 of the Arbitration and Conciliation Act, 1996 covers

- (a) Interim injunction
- (b) Appointment of receiver
- (c) Appointment of Guardian
- (d) All of the above.

29. Which statement is correct?

- (a) The provisions of Limitation Act, 1963 shall not apply to Arbitration
- (b) The Limitation Act, 1963 shall not be binding upon the Arbitration
- (c) The Limitation Act, 1963 shall be applicable to the Arbitration as it is applicable to the proceedings in the Court.
- (d) None of the above.

30. Right to work has been provided under which provision of the Constitution of India-

- (a) Article 21- A
- (b) Article 21
- (c) Article 41
- (d) Article 45

31. Section 5 of Limitation Act applies to

- (a) suit
- (b) appeal & application
- (c) execution
- (d) all the above

32. What does Third Schedule of Constitution of India contain?

- (a) Form of oath or affirmation
- (b) President and Governors of States
- (c) Allocation of seats in Raja Sabha
- (d) none of the above

33. Dasti summons for serving on the defendant can be given to the plaintiff by virtue of

- (a) Order V, Rule 9-A of CPC
- (b) Order V, Rule 9 of CPC
- (c) Order V, Rule 7 of CPC
- (d) Order V, Rule 6 of CPC

34. A 'garnishee' is

- (a) The judgement debtor
- (b) Judgment debtor's debtor
- (c) judgement debtor's creditor
- (d) the banker of the judgement debtor

35. In which of the following cases the right to education was held to be concomitant to fundamental rights enshrined under Part III of the Constitution?

- (a) Attorney General of India Vs Lachma Devi
- (b) Parmanand Katara Vs Union of India
- (c) Prem Shankar Shukla Vs Delhi Administration
- (d) Mohini Jain Vs State of Kerala

36. The investigating officer during the course of investigation records the statement of a witness under:

- (a) section 164 of CrPC
- (b) section 161 of CrPC
- (c) section 162 of CrPC
- (d) section 160 of CrPC

37. For the purpose of creating a new State in India an amendment to the Constitution of India must be passed by

- (a) 2/3rd majority of the members of both the Houses of Parliament present and voting.
- (b) 2/3rd majority of the members of both the Houses of Parliament and ratification by not less than 2/3rd majority of the States.
- (c) A simple majority in Parliament and ratification by not less than half of the States.
- (d) A simple majority by the Parliament.

38. Immediately before death, signs and gestures made by the deceased as to the circumstances relating to the cause of his death, whose throat was cut by the accused, in answer to questions, indicating the person who had wounded him, are admissible under section _____ of the Indian Evidence Act-

- | | |
|--------|--------|
| (a) 6 | (b) 7 |
| (c) 32 | (d) 33 |

39. Article 16(4A) which gives power to the State to make laws regarding reservation in matters of promotion in favour of Scheduled Castes and Scheduled Tribes was added by the

- (a) 75th Amendment to the Constitution of India.
- (b) 76th Amendment to the Constitution of India.
- (c) 77th Amendment to the Constitution of India.
- (d) 78th Amendment to the Constitution of India.

40. In which of the sections of Transfer of Property Act, the 'Doctrine of Consolidation' is incorporated?

- | | |
|----------------|----------------|
| (a) Section-60 | (b) Section-61 |
| (c) Section-62 | (d) Section-6 |

41. Burden of proving the plea of insanity lies on

- (a) the accused
- (b) the prosecution
- (c) civil surgeon to whom the accused was referred for examination
- (d) Both (A) and (B)

42. In Indian Contract Act, the term voidable contract has been defined under

- | | |
|------------------|------------------|
| (a) Section 2(e) | (b) Section 2(h) |
| (c) Section 2(i) | (d) Section 2(g) |

43. In which of the following cases, a transfer of property can be made without a registered deed;

- (a) Exchange
- (b) Actionable claim
- (c) Lease for a term of one year
- (d) Sale of property worth Rs.100/.

44. A suit for recovery of possession of an immovable property, under section 6 of Specific Relief Act can be filed within

- (a) 1 year of dispossession
- (b) 6 months of dispossession
- (c) 3 years of dispossession
- (d) 12 years of dispossession.

45. Every person has right to private defence of

- (a) his own body
- (b) his own body and property
- (c) his own body and property and the body of any other person
- (d) his own body and property and the body and property of any other person

- 46.** Section 4, of the Sale of Goods Act 1930, deals with
- (a) Sale
 - (b) Agreement to sell
 - (c) Both (a) and (b)
 - (d) None of above
- 47.** 'A' threatens 'Z' that he will keep 'Z's child in wrongful confinement, unless 'Z' will sign and deliver to 'A' a promissory note binding 'Z' to pay certain money to 'A'. 'Z' signs and delivers the note. 'A' has committed
- (a) wrongful confinement
 - (b) extortion
 - (c) wrongful confinement and mischief
 - (d) criminal intimidation
- 48.** A boy of 17 years marries a girl of 15 years. The marriage is—
- (a) Void
 - (b) Voidable
 - (c) Valid and not punishable
 - (d) Valid and punishable
- 49.** The Hindu Marriage Act, 1955 contains the provision regarding divorce in—
- (a) Section 10
 - (b) Section 11
 - (c) Section 13
 - (d) Section 15
- 50.** The period of limitation for a review of the judgment is-
- (a) 60 days.
 - (b) 30 days.
 - (c) 180 days.
 - (d) 90 days.
- 51.** The Estate of a Hindu male dying intestate will devolve upon his heirs:
- (a) According to the Indian Succession Act;
 - (b) According to the Hindu Succession Act;
 - (c) According to his testament;
 - (d) According to the wishes of his wife/widow.
- 52.** In the context of Muslim Law, what does 'Muta Marriage' refers to?
- (a) A permanent marriage
 - (b) A temporary marriage
 - (c) A marriage without witnesses
 - (d) A forced marriage
- 53.** An arbitral award shall be enforced in accordance with the provisions of the C.P.C. in the same manner as if it were a decree of the Court-
- (a) True
 - (b) False
 - (c) Partly correct
 - (d) None of the above
- 54.** Which of the following Articles of the Indian Constitution recognizes the Doctrine of Double Jeopardy?
- (a) Article 22(2)
 - (b) Article 21(2)
 - (c) Article 20(2)
 - (d) None of them
- 55.** Which of the following is a school of Hindu Law?
- (a) Mitakshara
 - (b) Dayabhaga
 - (c) Both (a) and (b)
 - (d) None of the above
- 56.** Punishment for subjecting a married woman to cruelty is dealt under:
- (a) Section 497 of the IPC
 - (b) Section 498 of the IPC
 - (c) Section 498 A of the IPC
 - (d) Section 500 of the IPC

- 57.** Jurisdiction of Courts can be distributed on the basis of –
 (a) Pecuniary Jurisdiction (b) Subject-matter Jurisdiction
 (c) Territorial Jurisdiction (d) All the above
- 58.** Constitution of India: The right of vote in India is-
 (a) Fundamental right (b) Natural right
 (c) Constitutional right (d) Legal right
- 59.** Doctrine of res-judicata as contained in Section 11 of the Code of Civil Procedure is based on maxim-
 (a) Nemo Debet Lis Vexari Pro Una Et Eaden Causa
 (b) Interest Republicate Ut Sit Finis Litium
 (c) both (a) and (b)
 (d) none of the above
- 60.** The term "Transfer" under the Transfer of Property Act, refers to:
 (a) Absolute or Conditional transfer
 (b) Contingent transfer
 (c) Part or whole transfer
 (d) All of the above
- 61.** A suit for recovery of possession under section 5 of the Specific Relief Act, can be filed within _____ from the date of dispossession
 (a) one year (b) six months
 (c) twelve years (d) thirty years
- 62.** Section 52 of the Transfer of Property Act, does not affect :
 (a) instant rights (b) pecuniary rights
 (c) post- transfer rights (d) pre-existing rights
- 63.** A contract creates.
 (a) rights in personam (b) rights in rem
 (c) only rights and no obligations (d) only obligations and no rights
- 64.** A period of limitation for filing an appeal commences from the date of availability of copy of the judgment
 (a) true (b) partly true
 (c) false (d) none of the above
- 65.** How many types of punishments are prescribed under the India Penal Code?
 (a) Three (b) four
 (c) five (d) six
- 66.** Limitation Act is not applicable to applications made by a pauper for leave to sue as a pauper:
 (a) true (b) partly true
 (c) false (d) none of the above
- 67.** Which of the following is a type of Mens rea:
 (a) intention (b) negligence
 (c) recklessness (d) All the above
- 68.** Section 6 of the Limitation Act can be availed by
 (a) defendant (b) a plaintiff
 (c) both (a) and (b) (d) none of the above

69. The minimum number of persons required for conspiracy is-

- (a) one (b) five
(c) two (d) no minimum requirement

70. Section _____ of the Indian Evidence Act, deals with latent ambiguity

- (a) 92 (b) 93
(c) 94 (d) 95

PART- II (GENERAL KNOWLEDGE)

71. What is the name of India's first Satellite?

- (a) Aryabhata (b) Bhaskara
(c) INSAT-1A (d) Rohini

72. Who is known as the 'Father of Indian Nuclear Science'?

- (a) Vikram Sarabhai (b) Homi J. Bhabha
(c) A.P.J. Abdul Kalam (d) Satyendra Nath Bose

73. In which year did the Jallianwala Bagh massacre take place?

- (a) 1916 (b) 1919
(c) 1921 (d) 1923

74. Which Indian athlete won a gold medal in the World Athletics Championships in 2023?

- (a) Neeraj Chopra (b) Hima Das
(c) P.V. Sindhu (d) Bajrang Punia

75. What is COVID-19 and which of the statement is true?

- (a) Corona Virus disease 2019 (COVID-19) is the respiratory disease caused by SARS-CoV 2.
(b) Corona Virus disease 2019 (COVID-19) is the heart disease caused by SARS-CoV 2.
(c) both (a) and (b)
(d) none of the above

76. Who designed the National Flag of India?

- (a) Rajendra Prasad (b) Chattopadhyay
(c) M.F. Hussain (d) Pingali Venkayya

77. Which gas is absorbed by the plants

- (a) Oxygen (b) Nitrogen
(c) Carbondioxide (d) Methane

78. Who invented Radio?

- (a) James Clerk Maxwell (b) Mahlon Loomis
(c) Guglielmo Marconi (d) Philo Farnsworth

79. Who is the Author of Malgudi Days?

- (a) Rabindranath Tagore (b) V.S. Naipaul
(c) R.K. Narayan (d) Deepak Chopra

80. Which is the country known as the land of the rising sun?

- (a) China (b) Nepal
(c) Japan (d) Bhutan

81. Which is the natural Satellite of earth?

- (a) Sun (b) Moon
(c) Mars (d) Star

82. How many bones are there in the human body?

- (a) 200 (b) 206
(c) 205 (d) 209

83. Where was the first COVID-19 detected?

- (a) Kerala (b) Shanghai
(c) Wuhan (d) Washington

84. When was the Electronic Voting Machine (EVM) first used in India?

- (a) 1982 (b) 1986
(c) 1999 (d) 2008

85. Who was the first Chief Justice of India?

- (a) Mehr Chand Mahajan (b) H.J. Kania
(c) Y.V. Chandrachud (d) H.L. Dattu

PART – III (ENGLISH)

86. How many parts of speech are there in English language?

- (a) 4 (b) 6
(c) 2 (d) 8

87. Arrange Noun, Verb, Adjective and Adverb of the following words and select the correct options accordingly:

- (i) advice (ii) advisable
(iii) advise (iv) advisably

- (a) (i), (ii), (iii), (iv) (b) (i), (iii), (ii), (iv)
(c) (iv), (ii), (iii), (i) (d) (i), (iii), (iv), (ii)

88. Which of the following word is substitute for the expression- 'One who possesses many talents':

- (a) Exceptional (b) Wisdom
(c) Versatile (d) Nubile

89. Correct the sentence- "What your Surname is?":

- (a) What your Surname? (b) What is your Surname?
(c) Your Surname is what? (d) None of the above.

90. How many vowels are there in the English alphabets?

- (a) 8 (b) 6
(c) 4 (d) 5

91. In the following question, out of four alternatives, select the alternative which is the best substitute of the words/sentence, i.e. 'Relating to or involved in crime'.

- (a) Chaste (b) impeccant
(c) licit (d) felonious

92. In the following question, out of the four alternatives, choose the one which can be substituted for the words/sentence- 'Misappropriation of money'.

- (a) Abridgement (b) Condiment
(c) Embezzlement (d) Bereavement

93. In the following question the first and the last part of the sentence/passage are given. The rest of the sentence/passage is split into four parts and named P, Q, R and S. These four parts are not given in their proper order. Read the sentence/passage and find out which of the four combinations is correct.

Why should I tell you again and again?

P. They know what they have to do.

Q. Don't you know your duties?

R. Only you require to be told.

S. Other students need not be told.

I will not tolerate this anymore.

- (a) QSPR (b) QRPS
(c) SPRQ (d) QPSR

94. Select the word that is opposite in meaning to the word Judicious-

- (a) Discreet (b) Prudent
(c) Discriminating (d) Irrational

95. Select the meaning of the idiom- "Be chilled to the marrow":

- (a) To be completely shameless
(b) To your innermost being
(c) To be extremely cold
(d) To vigorously engage in an argument

PART – IV (COMPUTER)

96. Who is the father of Computer ?

- (a) James Gosling (b) Charles Babbage
(c) Dennis Ritchie (d) Bjarne Stroustrup

97. What is the full form of CPU?

- (a) Computer Processing Unit. (b) Computer Principle Unit.
(c) Central Processing Unit. (d) Control Processing Unit.

98. Which of the following are physical devices of a computer?

- (a) Hardware (b) Software
(c) System Software (d) Package

99. Which of the following devices is NOT used to enter data into a computer?

- (a) Mouse (b) Keyboard
(c) Scanner (d) Monitor

100. Which part of the computer displays the work done?

- (a) RAM (b) Printer
(c) Monitor (d) ROM