BLOGS

Sectional Based Questions on the Concept of Plea of Alibi for CLAT PG

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The plea of alibi is a legal defence strategy in which an accused states that he was at some other place at the time of the commission of the offence, making it impossible for him to have committed the crime. The term "alibi" is a Latin word which means "to be elsewhere."

When the plea of alibi is raised in criminal proceedings, it is asserted that the crime did occur, but the accused was absent from the place of the offence.

However, the burden of proof does not shift entirely onto the accused; the prosecution must still prove the case beyond reasonable doubt. Section 11 of the Indian Evidence Act, 1872 deals with the concept of the plea of alibi. It must be established convincingly.

1. Which section of Indian Evidence Act, 1872 deals with the concept of plea of alibi?

a. Section 10

b. Section 12

c. Section 11

d. Section 13

2. What is the meaning of the term 'Alibi'?

a. Elsewhere

b. No place

c. Somewhere

d. Other place

3. What was held in the case of Dudh Nath Pandey .V. State of U.P?

a. Plea of Alibi must be raised at early stage of trial

b. Plea of Alibi must be proved by accused beyond reasonable doubt

c. Plea of Alibi is a weak defense

d. It needs to be established by accused but the standard of proof is preponderance to probability

4. What is the stance of burden of proof when it comes to plea of alibi?

a. Burden shifts on the prosecution

b. It needs to proved by accused beyond reasonable doubt

c. It needs to be proved by accused with certainty

d. The accused needs to be probable that he was elsewhere whereas to proof the guilt beyond doubt is on the prosecution

5. The plea of alibi is the application of which principle of evidence law?

a. Facts in issue

b. Doctrine of Res gestae

c. Irrelevant facts become relevant when the facts in issue are inconsistent

d. Facts are the part of same transaction

6. What was held in the case of Binay Kumar .V. State of Bihar?

a. Plea of Alibi is a substantive piece of evidence

b. Plea of Alibi must be taken at the first opportunity in front of the magistrate

c. Plea of Alibi needs to be proved and mere possibility is not sufficient

d. Plea of Alibi is not a sole piece of evidence

7. Which of the following is not an ingredient for a plea of alibi?

a. The accused was at some other place at the time of offence

b. It is possible the accused was the place of the offence

c. Time of the offence needs to be mentioned precisely

d. There needs to be motive for the accused to be at some other place at the time of offence

8. The prosecution side is not sure about the time of offence, what is its effect on plea of alibi?

a. Strengthen the plea of alibi automatically

b. Plea of Alibi is weaken

c. No effect on Plea of Alibi

d. The accused gets acquitted by the court

9. Under which category does the plea of alibi lie in the Indian Evidence Act, 1872?

a. Fact in issue

b. Relevant fact under section 11

c. Relevant fact under section 6

d. None of the Above

10. In which case the Supreme Court held that the courts need to be watchful when it comes to the false plea of alibi?

a. State of Maharashtra .V. Suresh

b. Dudh Nath Pandey .V. State of U.P

c. Aliyas .V. State of Rajasthan

d. Binay Kumar .V. State of Bihar

11. What happens if the plea of alibi is a false piece of evidence?

a. It is a mitigating circumstance

b. The case is transferred to lower courts

c. It has an adverse inference on the case

d. It is an additional circumstance against the accused

12. A plea of alibi is considered to be inconsistent with which principle of criminal law?

a. Presence of the accused at the place of the offence

b. Presumption of innocence

c. Double jeopardy

d. Right of the silence of the accused

13. When under BNSS, an accused must give notice regarding his intention to rely on a plea of alibi?

a. Time of framing of charges

b. At the time of examination of witnesses

c. At the time of filing of written statement

d. No statutory provision regarding the mandatory notice for alibi

14. What is the difference between plea of alibi and plea of private defense?

a. Plea of Alibi denies the act, plea of private defense admits the act but justifies it

b. Plea of Alibi justifies the act, plea of private defense denies the act

c. Both are same

d. It shifts the burden of proof on the prosecution completely

15. In which case the court decided on the establishment of the failure of plea of alibi?

a. State of U.P .V. Deoman Upadhaya

b. Dudh Nath Pandey .V. State of U.P

c. Aliyas .V. State of Rajasthan

d. Binay Kumar .V. State of Bihar

Answers

1. Option c
2. Option a
3. Option d
4. Option d
5. Option c
6. Option c
7. Option d
8. Option a
9. Option b
10. Option b
11. Option d
12. Option a
13. Option d
14. Option a
15. Option a