

Most Important Laws (High-Weightage Subjects)

Focus your primary efforts on these subjects, as they make up more than half of the exam.

Subject	Weightage (No. of Questions)
Constitutional Law	10
Code of Civil Procedure (CPC)	10
Criminal Procedure Code (CrPC) / Bharatiya Nagarik Suraksha Sanhita (BNSS)	10
Indian Penal Code (IPC) / Bharatiya Nyaya Sanhita (BNS)	8
Indian Evidence Act / Bharatiya Sakshya Adhinyam (BSA)	8
Family Law (Hindu & Muslim Law)	8
Law of Contract, Specific Relief, Property & NI Act	8

Preparation Notes & Key Topics

Use these notes to guide your study. Focus on understanding the core concepts and knowing where to find them in your Bare Act.

1. Constitutional Law

- **Preamble:** Understand the terms (Sovereign, Socialist, Secular, etc.).
- **Fundamental Rights (Part III, Art. 12-35):** This is the most critical section.
 - **Art. 14:** Equality before law.

- **Art. 15-16:** Prohibition of discrimination & equality of opportunity.
- **Art. 19:** The six freedoms (especially speech, assembly, association).
- **Art. 21:** Right to Life and Personal Liberty (very important, wide scope).
- **Art. 32:** Right to Constitutional Remedies (the "Writs").
- **Directive Principles (Part IV, Art. 36-51):** Know the difference between these and Fundamental Rights.
- **Writs (Art. 32 & 226):** Know the five types: Habeas Corpus, Mandamus, Certiorari, Prohibition, Quo Warranto.
- **Key Doctrines:** Basic Structure, Pith and Substance, Eclips, Severability.
- **Important Amendments:** 42nd ("Mini-Constitution"), 44th, 86th (Education).

2. Criminal Law (IPC/BNS & CrPC/BNSS)

Important: The syllabus now includes both the old codes (IPC, CrPC) and the new codes (BNS, BNSS). You must be familiar with the corresponding provisions in both.

- **Indian Penal Code (IPC) / Bharatiya Nyaya Sanhita (BNS)**
 - **General Exceptions (Chap. 4 IPC):** Acts against which there is no criminal liability (e.g., mistake of fact, judicial acts, self-defense).
 - **Offences Against the Body:** Culpable Homicide (S. 299) vs. Murder (S. 300), Kidnapping & Abduction (S. 359-360), Rape (S. 375).
 - **Offences Against Property:** Theft (S. 378), Extortion (S. 383), Robbery (S. 390), Dacoity (S. 391).
 - **Inchoate Offences:** Criminal Conspiracy (S. 120A), Abetment (S. 107).
- **Criminal Procedure Code (CrPC) / Bharatiya Nagarik Suraksha Sanhita (BNSS)**
 - **Key Definitions (S. 2 CrPC):** Bailable/Non-bailable, Cognizable/Non-cognizable offence, Charge, Inquiry, Investigation.
 - **Arrest (Chap. 5 CrPC):** When can police arrest with/without a warrant (S. 41).
 - **FIR (S. 154 CrPC):** Information in cognizable cases.
 - **Bail (Chap. 33 CrPC):** Especially Anticipatory Bail (S. 438).
 - **Powers of Courts:** Know the hierarchy and sentencing powers.

3. Procedural & Evidence Law (CPC & Evidence Act)

- **Code of Civil Procedure (CPC), 1908**
 - **Key Definitions (S. 2):** Decree, Order, Mesne Profits.
 - **Jurisdiction (S. 9):** Courts to try all civil suits unless barred.
 - **Core Principles: Res Judicata (S. 11) and Res Sub Judice (S. 10).**
 - **Pleadings (Order 6):** Plaint (Order 7) and Written Statement (Order 8).
 - **Appeals, Review, Revision:** Know the basic difference between First Appeal (S. 96), Second Appeal (S. 100), Review (S. 114), and Revision (S. 115).
- **Indian Evidence Act, 1872 / Bharatiya Sakshya Adhiniyam (BSA)**
 - **Key Definitions (S. 3):** "Fact," "Relevant," "Proved," "Disproved."
 - **Relevancy of Facts (S. 5-55):**
 - **Res Gestae (S. 6):** Facts forming part of the same transaction.
 - **Admissions (S. 17-23) & Confessions (S. 24-30).**
 - **Dying Declaration (S. 32(1)).**
 - **Burden of Proof (Chap. 7, S. 101-114A):** Who must prove a fact.
 - **Witnesses:** Estoppel (S. 115), Privileged Communications (S. 122-129).

4. Family Law

- **Hindu Law:**
 - **Hindu Marriage Act, 1955:** Conditions for marriage (S. 5), Grounds for Divorce (S. 13), Mutual Consent Divorce (S. 13B).
 - **Hindu Succession Act, 1956:** Rules of succession for males (S. 8) and females (S. 15).
- **Muslim Law (Shariat):**
 - **Sources:** Quran, Sunna, Ijma, Qiyas.
 - **Marriage (Nikah):** Essentials, types (Sahih, Batil, Fasid).
 - **Divorce (Talaq):** Different forms (Talaq-ul-Sunnat, Talaq-ul-Biddat).

- **Maintenance:** Especially the Shah Bano case and the subsequent Muslim Women (Protection of Rights on Divorce) Act, 1986.
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How to Use Your Bare Acts Effectively

1. **Buy Updated Bare Acts:** Make sure they include the **new criminal laws (BNS, BNSS, BSA)**. Many publishers now offer versions that map the old sections to the new ones.
2. **Tab and Index:** You cannot write in them, but you can use tabs to mark the *beginning* of each Act, the index, and critical chapters (like Fundamental Rights, or "Pleadings" in CPC).
3. **Study the Index:** The most important part of your preparation is knowing the *structure* of the Act. When you see a question about "Arrest," your brain should immediately go to "CrPC, Chapter 5." When you see "Res Judicata," you should know it's "CPC, Section 11."
4. **Solve Past Papers:** This is crucial. Get the AIBE previous years' question papers. Sit with your Bare Acts and try to find the answers *using only the Bare Acts*. Time yourself. This will train you for the actual exam.

I can also help you find specific landmark cases for these topics if you'd like.

This video discusses strategies for how to approach and pass the AIBE exam.

AIBE 19 Preparation Strategy



1. Constitutional Law (10 Marks)

- **Preamble:** Know the keywords: **Sovereign, Socialist, Secular, Democratic, Republic.**
 - **Fundamental Rights (FRs):** This is the most important part.
 - **Art. 14 (Equality):** "Equality before law" (negative concept) AND "Equal protection of laws" (positive concept).
 - **Art. 15 (Discrimination):** Prohibits discrimination on grounds of **Religion, Race, Caste, Sex, or Place of Birth (RRCSB).**
 - **Art. 19 (Freedoms):** Know the six freedoms, especially **19(1)(a)** (Speech & Expression) and **19(1)(g)** (Profession/Trade). The restrictions on these freedoms are in **Art. 19(2) - 19(6).**
 - **Art. 21 (Life & Liberty):** "No person shall be deprived of his life or personal liberty **except according to procedure established by law.**" This is the widest-ranging right. (Landmark case: *Maneka Gandhi v. UOI*).
 - **Art. 32 (Remedies):** The "heart and soul." Right to move the Supreme Court. Know the 5 Writs:
 1. **Habeas Corpus:** "To have the body" (against unlawful detention).
 2. **Mandamus:** "We command" (to compel a public official to do their duty).
 3. **Certiorari:** "To be certified" (to quash an illegal order of a lower court).
 4. **Prohibition:** "To forbid" (to stop a lower court from exceeding its jurisdiction).
 5. **Quo Warranto:** "By what authority" (to challenge a person's right to hold a public office).
 - **Art. 226:** Gives the *same writ powers* to the High Courts.
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2. Criminal Law: IPC/BNS & CrPC/BNSS (18-20 Marks)

A. Indian Penal Code (IPC) / Bharatiya Nyaya Sanhita (BNS)

- **General Exceptions (Chap. 4 IPC):** Know these as defenses.
 - **S. 82:** Act of a child under 7.
 - **S. 84:** Act of a person of unsound mind.
 - **S. 96-106:** Right of Private Defence. The right begins when there is reasonable apprehension of danger.
- **Culpable Homicide (S. 299) vs. Murder (S. 300):** This is a guaranteed topic.
 - **Simple Rule:** All murders are culpable homicides, but not all culpable homicides are murders.
 - **Murder (S. 300):** Look for the highest degree of *intention* or *knowledge* that death is the *most probable* result.
 - **Culpable Homicide (S. 299):** Look for *intention* or *knowledge* that death is *likely* to be caused.
 - **Exceptions to Murder (S. 300):** These turn murder *back into* culpable homicide.
 1. Grave and Sudden Provocation
 2. Exceeding Right of Private Defence
 3. Act of a Public Servant
 4. Sudden Fight
 5. Consent
- **Theft (S. 378):** Dishonest taking of **movable property** out of possession **without consent**.
- **Extortion (S. 383):** Putting a person in fear of injury to

dishonestly induce them to deliver property. (Theft = no consent; Extortion = consent obtained by fear).

B. Criminal Procedure Code (CrPC) / Bharatiya Nagarik Suraksha Sanhita (BNSS)

- **S. 2 Definitions:** Know the difference between:
 - **Cognizable (S. 2(c)):** Serious. Police can arrest **without a warrant**.
 - **Non-Cognizable (S. 2(l)):** Less serious. Police **cannot arrest** without a warrant.
 - **Bailable:** Bail is a right.
 - **Non-Bailable:** Bail is at the court's discretion.
- **FIR (S. 154):** First Information Report. It's the first step that sets the criminal law in motion for a **cognizable offence**.
- **Arrest (S. 41):** Lays down when police may arrest **without a warrant** (e.g., for a cognizable offence).
- **Bail (S. 436-439):**
 - **S. 436:** Bail in bailable offences (a right).
 - **S. 437:** Bail in non-bailable offences (by Magistrate).
 - **S. 438: Anticipatory Bail** (pre-arrest bail). Only from Court of Session or High Court.
 - **S. 439:** Special powers of High Court & Court of Session for bail.

CIVIL 3. CPC & Evidence Act (18-20 Marks)

A. Code of Civil Procedure (CPC)

- **S. 2(2) - Decree:** The formal expression of adjudication that conclusively determines the rights of the parties.
- **S. 9 - Jurisdiction:** Courts shall try all civil suits *unless barred*.
- **S. 10 - Res Sub Judice:** "Stay of suit." Stops a court from trying a suit if the *same matter* between the *same parties* is already pending in another court.
- **S. 11 - Res Judicata:** "A matter already decided." Prevents re-litigation of the *same issue* between the *same parties* that has been *finally decided* by a competent court. **(Crucial section!)**
- **Pleadings (Order 6):** The foundational rules.

- **Plaint (Order 7):** The document filed by the Plaintiff to start a suit.
 - **Order 7 Rule 11: Rejection of Plaint.** Know the grounds (e.g., no cause of action, barred by law).
- **Written Statement (Order 8):** The Defendant's reply to the Plaint.
 - **Order 8 Rule 1:** Time limit to file is 30 days, extendable to 90.

B. Indian Evidence Act (IEA) / Bharatiya Sakshya Adhiniyam (BSA)

- **S. 3 Definitions:** Know "Fact," "Relevant," "Fact in Issue," "May Presume," "Shall Presume," "Conclusive Proof."
- **Relevancy (S. 5-55):**
 - **S. 6 - Res Gestae:** Facts forming "part of the same transaction" (e.g., statements made by a victim or witness *during* the crime).
 - **S. 17 - Admission:** A statement made by a party to the proceeding, which suggests an inference as to a fact in issue.
 - **S. 24 - Confession:** An admission made by an accused. It is *irrelevant* if caused by inducement, threat, or promise.
 - **S. 27 - Recovery:** "How much of information received from accused may be proved." If a fact is discovered as a result of a confession to a police officer, *only* the part of the statement that "distinctly relates to the fact thereby discovered" can be proved.
 - **S. 32(1) - Dying Declaration:** Statement by a person as to the cause of his death. It's relevant and admissible.
- **Burden of Proof (S. 101-114):**
 - **S. 101:** The general rule. "Whoever desires any Court to give judgment... must prove that those facts exist." The burden lies on the person who asserts a fact.
 - **S. 106:** Burden of proving a fact *especially within the knowledge* of a person is on *that person*.
 - **S. 112: Conclusive proof of legitimacy.** Birth during a valid marriage is conclusive proof of legitimacy, unless non-access is proven.



4. Family Law (8 Marks)

- **Hindu Marriage Act, 1955:**
 - **S. 5:** Conditions for a valid marriage (monogamy, mental capacity, age).
 - **S. 9:** Restitution of Conjugal Rights (RCR).
 - **S. 13:** Grounds for Divorce (e.g., adultery, cruelty, desertion for 2 years).
 - **S. 13B: Divorce by Mutual Consent.** (Key: must be living separately for at least 1 year).
 - **Hindu Succession Act, 1956:**
 - **S. 6: Coparcenary.** The 2005 amendment made daughters coparceners by birth, with the same rights as sons.
 - **S. 8:** General rules of succession for a **male** (Property goes to **Class I heirs** first. If no Class I, then Class II).
 - **S. 15:** General rules of succession for a **female** intestate.
 - **Muslim Law:**
 - **Nikah (Marriage):** A civil contract. Essentials are offer (Ijab) and acceptance (Qubul).
 - **Talaq (Divorce):** Primarily a husband's right.
 - **Maintenance:** A divorced Muslim wife is entitled to maintenance. Key case: *Shah Bano Begum*. This led to the **Muslim Women (Protection of Rights on Divorce) Act, 1986**.
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5. Contract, Specific Relief, Property & NI Act (8 Marks)

- **Indian Contract Act, 1872:**
 - **S. 2(h):** "An agreement enforceable by law is a contract."
 - **S. 10:** "What agreements are contracts." (**Most important section**). Requires: Free Consent, Competent Parties, Lawful Consideration, Lawful Object.
 - **S. 25:** An agreement *without* consideration is **void** (with some exceptions).
- **Specific Relief Act, 1963:**
 - **S. 5:** Recovery of specific **immovable** property.
 - **S. 16:** Personal bars to relief (who *cannot* get specific performance).
 - **S. 20: Substituted Performance** (getting the contract done by a third party and recovering cost from the defaulter).
- **Transfer of Property Act, 1882:**
 - **S. 54: Sale.** Transfer of ownership for a price. **Registration is compulsory** if the value of immovable property is **Rs. 100 or more**.
 - **S. 105: Lease.** Transfer of a *right to enjoy* property for a certain time for a premium or rent.
- **Negotiable Instruments Act, 1881:**
 - **S. 138: Dishonour of Cheque.** This is the only section you *really* need to know. The key conditions for the offence are:
 1. Cheque issued for a legally enforceable **debt**.
 2. Presented within **3 months** of its date.
 3. Demand Notice (in writing) sent to the drawer within **30 days** of receiving the "cheque bounce" memo.
 4. Drawer fails to pay within **15 days** of receiving the notice.
 - **S. 141:** Offences by companies (holds directors/partners liable).