**BOND AND BAIL-BOND FOR ATTENDANCE BEFORE THE COURT OF …...**

**\_\_\_\_\_\_\_**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, having been brought before the court of the . \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ charged with the offence \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and required to give security for my attendance before such court on condition that I shall attend such court on every day on which any trial is held with regard to such charge, and in case of my making default herein, I bind myself to forfeit to Government the sum of rupees \_\_\_\_\_\_\_\_\_\_\_\_\_

Dated, this \_\_\_\_\_\_ day of \_\_\_\_\_\_

(Seal of the Court)

Signatures

**SURETY**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby declare myself (or we jointly and severally declare ourselves and each of us) surety (or sureties) for the above said \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ that he shall attend the Court \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ every day on which any trial (on such charge is held that he shall be, and appear before such court for answer the charge against him, and, in case of his making default herein. I hereby bind myself (or we hereby hire ourselves) to forfeit to Government the sum of rupees \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Dated, this \_\_\_\_\_\_ day of \_\_\_\_\_\_

(Seal of the Court)

(Signature)

**Affidavit**

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That I own and possess immovable and movable property worth Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at village: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Teh: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dist: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ HP. The same is free from all encumbrances and I hereby declare that the aforesaid property shall remain free from all encumbrances till the final disposal of the trial or I am surety in the present case proportionately to the extent of the amount of the bail/surety bond.

2. That I am employee at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and draw a monthly salary of Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Deponent

**Verification:**

I, the above said deponent do hereby verify that the contents of my above affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified here at ……………………..………this \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Deponent

**BAIL PETITION BEFORE A MAGISTRATE IN A NON-BAIL ABLE OFFENCE**

In the Court of ………..

Magistrate of…….Case No……….of……under section ……IPC.

The State .....................................................................................................

Versus

Accused …………………………..…………..….son of………………………….…… ………….

For matter of application of ………………………………………..………… the accused for bail

…………………………………………………….…… the accused named above humbly petition.

Respectfully ………………….:

1. That petitioner was arrested by the police on ……..per suspicion. That he was neither named in FIR nor he was identified by any inmate of the house, where burglary was committed during identification parade by Mr. ………………………….………………….Judicial Magistrate.

2. That on such by police nothing incriminate found in house

3. That petitioner being family man and can not run away.

4. Petitioner is allowed bail as there is no legal ground for continuing detention as trial will not be completed in the near future.

Petitioner prays that having served notice to State and hearing per bilateral Your Honourmay kind enough pleased to pass Order for releasing your petitioner on bail.

And petitioner being duty bound, shall ever pray

Advocate …………..

**Verification**

I, ……………………………………………………..…..son of ……………………………….…. aged …………years, by occupation business, residing at.................................................................................................................................... do hereby solemnly affirm and say as follows:

1. I am the petitioner above-named and I know the facts and circumstances of this case.

2. The statements in paragraphs 1 to 4 in the foregoing petition are true and correct to the best of my knowledge and belief.

3. I sign this verification on this …. day of ……………………………..

Solemnly affirmed by the said ………………………

Notary/Magistrate

Deponent

**ANTICIPATORY BAIL BEFORE SESSIONS JUDGE**

In the Court of Sessions Judge at.......................................................

Criminal Misc. Case No. ................................................ of ……………………………….......
In the matter of:

An application for anticipatory bail under section 438 of the Code of Criminal Procedure 1973

And

In the matter of:

 **................................................................... Petitioner**

 **versus**

The State of………………................................... Respondent

The humble petition of the petitioner above-named

Respectfully showeth:-
1. That petitioner being a …………………….………………………….. working at………………………………………..

2. That relating with his sovereign duties he has to raid against criminals/anti-socials.

3. That some criminals of area, namely,……………………...............conspired to malign/harass your petitioner publicly by implicating him and lodging an FIR at the Police Station at………………….........

4. That petitioner being a …………………………… can not hide and if compulsory he shall co-operate in police investigation. Anticipatory bail be granted to petitioner. :

5. That if anticipatory bail is not allowed petitioner suffer irreparable injury.

6. That petitioner undertakes to obey all terms/conditions on passing order of bail.

Hence prayed that Your Honour will be pleased to allow the petitioner anticipatory bail and other order /orders as Your Honour deem fit and proper.

And for this act of kindness your petitioner shall ever pray.

Advocate of ………………………………….

Verification

I ………………………………….., son of …………………………………….….., resi………… ....................................... do hereby solemnly affirm and say as follows:

1. I am the petitioner above-named. I know the facts and circumstances of this case.

2. The statements in paragraphs 1 to 6 hereinabove in the petition are true to ray knowledge and belief.

3. I sign this verification on this …………………............ at ……………………..

Solemnly affirmed by the said …………. on this………………..at…………….. .

Notary/Magistrate

Deponent

**BAIL BEFORE HIGH COURT UNDER SECTION 439, CRPC**

In the Court of the Sessions Judge at…….,

Case No. ... of...... under s. 379, IPC

The State of ……………………………………………………………………………………………….…..

Versus

Accused .................................................. S/o …………………………………..……………

In the matter of petition for bail of the accused-petitioner waiting hearing of the appeal.

The humble petition of the accused in the above case

Respectfullyshoweth:

1. That petitioner was convicted by the Sub-Divisional Judicial Magistrate of …..under s. 379, IPC on …………………………………..………. and sentenced for ………………………….… months Rigorous Imprisonment.

2. That petitioner has to date appealed before Your Honour against the said order of conviction/sentence.

3. That the …………………………....allegedly stolen by petitioner was purchased by him at court auction on ……………………………for Rs. ………………..………. and fact was proved by at lest …………………………. witnesses.

4. That petitioner was a bona fide purchaser of the ……………………………………………for value and had no knowledge/suspicion that …………………………………………………………..was a stolen property.

5. That petitioner being small shopkeeper and he has a stall at…………………………............. and there is no apprehension of your petitioner absconding waiting the hearing of the appeal.

6. Your petitioner states that bail be granted to your petitioner pending disposal of the appeal bear in petitioner will success.

7. Unless bail is allowed your petitioner will lose all the regular customers with source of livelihood.

Your Petitioner prays that Your Honour may be pleased to allow temporary bail to your petitioner waiting the hearing of the appeal.

And your petitioner, as in duty bound, shall ever pray.

**Verification**

I, ……………………………………………………………………, son of……………………………………………………..……, by occupation business, residing at ................................................................................................................ do hereby solemnly affirm and say as follows:-

1. I am the accused petitioner above-named and I know the facts and circumstances of this case.

2. The statements in paragraphs 1 to 7 hereinabove petition are true to my knowledge and belief.

3. I sign and verify this ……………………………………….at……………………………………………

Solemnly affirmed by the said ……………………..…. on this …………………………. at ……………………..………..

Before me Notary/Magistrate

Deponent

 **Petition under Section 439 (2) of Cr. P. C.**

IN THE HON'BLE HIGH COURT OF …………………….

Cr. M. P. (M): \_\_\_\_\_\_ of 20..

MEMO OF PARTIES

………………………………………………………………………………….……………….Petitioner

VERSUS

…………………………………………………………………………………….…………….Respondents

Petition under Section 439 (2) of Cr. P. C. read with Section 482 of Criminal Procedure Code for cancellation of bail granted to the respondent No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by the Ld. \_\_\_\_\_\_\_\_\_\_\_\_ in Bail Application No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

………………… Petitioner

\_\_\_\_\_\_ Through, Advocate

Respectfully

1. That \_\_\_\_\_\_\_\_

**IN THE HON'BLE HIGH COURT OF ……………………….**

Cr. M. P. (M) No. :\_\_\_\_\_\_ of 20..

………………………………………………………………….…………………………………..Petitioner

VERSUS

………………………………………………………………………………………………………Respondents

Affidavit in support of Petition under Section 439 (2) read with Section 482 of Cr. P. C.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , do hereby solemnly affirm and declare as under:-

1. That the accompanying petition has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the accompanying petition are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at ………………………………………….….. this the &\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.\_ . Deponent

**IN THE HON'BLE HIGH COURT OF …………………………….**

Cr. M. P. (M) No. : \_\_\_\_\_\_ of 20……….

…………………………………………………………………………………….…………………..Petitioner

Versus

………………………………………………………………………………………………………...Respondents

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\_\_\_\_\_\_ Through, Advocate

**BAIL PENDING APPEAL UNDER SECTION 389, CRPC**

In the Court of the Sessions Judge at…….,

Case No. ... of...... under s. 379, IPC

The State of…………………………………………………………………………………..

Versus

Accused …………………................. Son of ……………………….…………..,

In the matter of petition for bail of the accused-petitioner waiting hearing of the appeal.
The humble petition of the accused in the above case

Respectfullyshoweth:

1. That petitioner was convicted by the Sub-Divisional Judicial Magistrate of ……………………...under s. 379, IPC on………………………..and sentenced for three months Rigorous Imprisonment.

2. That petitioner has to date appealed before Your Honour against the said order of conviction/sentence.

3. That the cycle allegedly stolen by petitioner was purchased by him at court auction on ………………………. forRs. ……………….…………and fact was proved by at lest ………. witnesses.

4. That petitioner was a bona fide purchaser of the cycle for value and had no knowledge/suspicion that cycle was a stolen property.

5. That petitioner being small shopkeeper and he has a stall at...................................... and there is no apprehension of your petitioner absconding waiting the hearing of the appeal.

6. Your petitioner states that bail be granted to your petitioner pending disposal of the appeal bear in petitioner will success.

7. Unless bail is allowed your petitioner will lose all the regular customers with source of livelihood.

Your Petitioner prays that Your Honour may be pleased to allow temporary bail to your petitioner waiting the hearing of the appeal.

And your petitioner, as in duty bound, shall ever pray.

**Verification**

I, ……………………………………………….……. son of ……………………………………………., by occupation

business, residing at .............................................................................................................

 do hereby solemnly affirm and say as follows:-

1. I am the accused petitioner above-named and I know the facts and circumstances of this case.

2. The statements in paragraphs 1 to 7 hereinabove petition are true to my knowledge and belief.

3. I sign and verify this ……………….. at ………………

Solemnly affirmed by the said AB on this………………….. at ……………………………….

Before me Notary/Magistrate

Deponent

**Bail application format POCSO ACT**

 under Section 437 CRPC

How to prepare bail application under CRPC 437 before the Magistrate. What are the documents to be attached

Section 437 of Code of Criminal Procedure, 1973 contemplates that any person arrested or detained in a non-bail able offence, the Court other than Sessions Court may grant him bail

**BEFORE THE COURT OF METROPOLITAN MAGISTRATE, AT (give the name of the police station or the Illaka Magistrate where the bail application is being filed)**

 IN THE MATTER OF

STATE

VS

(Mention the name of the applicant)

FIR Number: (Mention the FIR number)…………

Under Section: (Mention the sections under which the FIR has been filed)

Police Station: (Mention the name of the Police Station)

Accused under custody since: (Give the date on which accused has been arrested)

APPLICATION UNDER SECTION 437 CRPC FOR GRANT OF BAIL ON BEHALF OF THE ACCUSED (name of the applicant of the bail along with his fathers name, address and other details)

MOST RESPECTFULLY SUBMITTED AS UNDER:
1. That the present FIR has been registered on false and bogus facts. The facts stated in the FIR are fabricated, concocted and without any basis.

2. That the police has falsely implicated the applicant and arrested him in the present case, the applicant is a respectable citizen of the society and is not involved any criminal case.

3. That the facts stated in the complainant against the applicant are civil disputes and does not constitute any criminal offence at all.

4. That the applicant is not required in any kind of investigation nor any kind of custodial interrogation is required, nor any recovery is to be made at the instance of the applicant.

5. That the applicant is having very good antecedents, he belongs to good family and there is no criminal case pending against them.

6. That the applicant is a permanent resident and there are no chances of his absconding from the course of justice.

7. That the applicant undertakes to present himself before the police/court as and when directed.

8. That the applicant undertakes that he will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

9. That the applicant further undertakes not to tamper with the evidence or the witnesses in any manner.

10. That the applicant shall not leave India without the previous permission of the Court.

11. That the applicant is ready and willing to accept any other conditions as may be imposed by the Court or the police in connection with the case.

PRAYER
It is therefore prayed that the court may order for the release of the applicant on bail in the interest of justice.

Any other order which the court may deem fit and proper in the facts and circumstances of the case may be also passed in favor of the applicant.

APPLICANT
THROUGH
COUNSEL

**APPLICATION FOR ANTICIPATORY BAIL**

**BEFORE HIGH COURT**

In the High Court at …………..

(Criminal Miscellaneous Jurisdiction)

In the matter of an Application for anticipatory bail under section 439, Cr PC

Shri……………………………………..……

son of Shri………………………………...

 residing at……………….....................

............................................................................................................ Petitioner

versus

The State ............................................................................................ Respondent

To

Chief Justice and His Companion Justices of the Hon'ble Court

The humble petition of …………., the petitioner above-named

RESPECTFULLY SHOWETH:-

**1.** That petitioner being an eminent trader with a long-standing business in ……………… and being an income-tax and sales-tax assessee.

2. Petitioner permanently reside in ………………...

3. Due to personal enmity, my neighbour, Mr ……………..., lodged a vexatious complaint against the petitioner before police alleging hurt..

4. That factually complainant intents humiliating/harassing applicant and tarnishing his image in society..

5. Your petitioner fears that by said complaint the police may arrest petitioner by throwing the petitioner to mental harassment, trouble and physical inconvenience.

6. That the petitioner undertakes to obey all the terms/conditions as imposed upon him on order of bail.

7. That if anticipatory bail is not allowed the petitioner will suffer irreparable injury.

8. That the application is made bona fide and in the interest of justice.

The petitioner humbly prays that Your Lordships may kindly pleased to instruct if petitioner being arrested concerning this case the petitioner will be released on bail immediately/or may pass such other order/orders as Your Lordships may deem proper and fit.

And your petitioner is duty bound, shall ever pray.

Advocate.

Signature of Petitioner.

**Verification**

I, Shri………………………………………..……… son of Shri……………………………………….….., by occupation business, residing at………………………………………………………………………………………...… .................. do hereby solemnly affirm and say as follows:

1. I am the petitioner above-named. I know the facts of this case and I am able to depose thereto.

2. The statements in paragraphs 1 to 8 in the foregoing petition are true to my knowledge and belief.

3. I sign this verification on the …… day………….. in ……………………..

Solemnly affirmed by the said Shri………………day of ………………. in the Court at .

DEPONENT

Format of Application For Regular Bail

.

Format of Application For Regular Bail

IN THE COURT OF \_\_\_\_\_\_\_\_\_\_,

 HON’BLE SESSIONS Judge \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Son of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

R/o \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

…….…………………………………………………APPLICANT/PETITIONER.

 VERSUS

State of \_\_\_\_\_\_\_\_\_..............................................................RESPONDENT

IN THE MATTER OF:-

FIR NO. \_\_\_\_\_ DATED \_\_\_\_\_\_\_\_\_\_ UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC, P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

FIRST APPLILCATION FOR REGULAR BAIL

MOST RESPECTFULLY SHOWETH:-

1- That the petitioner belongs to a respectable family and he has clean antecedents.

2- That the petitioner has been framed up and falsely implicated in the above noted case by the complainant on extraneous grounds and he is in custody since \_\_\_\_\_\_\_\_\_\_\_\_\_.

3- That the police does not require further custody of the petitioner for the purpose of investigation in the case and the petitioner has therefore been remanded to judicial custody.

4- That the petitioner has been framed up in the case because \_\_\_\_\_\_\_\_\_\_\_\_\_ daughter of Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ complainant was deeply in love with the petitioner and her marriage was solemnized with Sh.\_\_\_\_\_\_\_\_\_\_\_\_\_ son ofSh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,R/o House No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ against her wishes on \_\_\_\_\_\_\_\_\_\_. Even after marriage \_\_\_\_\_\_\_\_\_\_\_\_\_ wanted the petitioner to continue friendly relationship with her due to attachment but the petitioner always advised her that since she has been married to another person, she should try to forget her past relationship with the petitioner.

5- That the investigation of the case and thereafter the trial shall take a considerable time and the petitioner shall suffer unbearable hardship of imprisonment if he remains confined to Jail during this period.

6- That the petitioner is ready and willing to furnish bail bonds to the satisfaction of this Hon’ble court for his being released on bail.

7- That the witnesses of the prosecution are relatives of the complainant and they can not be influenced by the petitioner. The petitioner gives an undertaking to the Hon’ble court, that if he is released on bail, he shall not temper with the evidence or influence the witnesses of the prosecution and he shall abide by any condition imposed by the Hon’ble court for releasing him on bail.

It is, therefore, prayed that the petitioner/applicant may kindly be released on bail.

Dated: \_\_\_\_\_\_\_\_\_ Applicant/petitioner.

Through counsel:
\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_, Advocates

**BAIL**

APPLILCATION FOR REGULAR BAIL

IN THE COURT OF \_\_\_\_\_\_\_\_\_\_,

HON’BLE SESSIONS

Judge \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Son of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

R/o

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

…….……APPLICANT/PETITIONER.

VERSUS

State of \_\_\_\_\_\_\_\_\_.
……….RESPONDENT

IN THE MATTER OF:-

FIR NO. \_\_\_\_\_ DATED \_\_\_\_\_\_\_\_\_\_ UNDER SECTION \_\_\_\_\_\_\_\_\_\_\_\_\_ IPC, P.S.- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

FIRST APPLILCATION FOR REGULAR BAIL

MOST RESPECTFULLY SHOWETH:-
1- That the petitioner belongs to a respectable family and he has clean antecedents.

2- That the petitioner has been framed up and falsely implicated in the above noted case by the complainant on extraneous grounds and he is in custody since \_\_\_\_\_\_\_\_\_\_\_\_\_.

3- That the police does not require further custody of the petitioner for the purpose of investigation in the case and the petitioner has therefore been remanded to judicial custody.

4- That the petitioner has been framed up in the case because \_\_\_\_\_\_\_\_\_\_\_\_\_ daughter of Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ complainant was deeply in love with the petitioner and her marriage was solemnized with Sh.\_\_\_\_\_\_\_\_\_\_\_\_\_ son ofSh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,R/o House No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ against her wishes on \_\_\_\_\_\_\_\_\_\_. Even after marriage \_\_\_\_\_\_\_\_\_\_\_\_\_ wanted the petitioner to continue friendly relationship with her due to attachment but the petitioner always advised her that since she has been married to another person, she should try to forget her past relationship with the petitioner.

5- That the investigation of the case and thereafter the trial shall take a considerable time and the petitioner shall suffer unbearable hardship of imprisonment if he remains confined to Jail during this period.

6- That the petitioner is ready and willing to furnish bail bonds to the satisfaction of this Hon’ble court for his being released on bail.

7- That the witnesses of the prosecution are relatives of the complainant and they can not be influenced by the petitioner. The petitioner gives an undertaking to the Hon’ble court, that if he is released on bail, he shall not temper with the evidence or influence the witnesses of the prosecution and he shall abide by any condition imposed by the Hon’ble court for releasing him on bail.

It is, therefore, prayed that the petitioner/applicant may kindly be released on bail.

Dated: \_\_\_\_\_\_\_\_\_ Applicant/petitioner.

Through counsel:
\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_, Advocates

Format For Grant of Anticipatory Bail in Case under Section of Electricity Act Police Station

Format For Grant of Anticipatory Bail in Case under Section of Electricity Act Police Station

IN THE COURT OF HON’BLE SESSIONS JUDGE, \_\_\_\_\_\_\_\_\_\_\_

Application No.\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_

\_\_\_\_\_\_ son of \_\_\_\_\_\_\_\_\_

R/o \_\_\_\_\_\_\_\_\_\_\_\_,

\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_

…Applicant/Petitioner.

Vs.

State of \_\_\_\_\_\_\_\_\_\_

………….…Respondent.

1st Application Under Section \_\_\_ \_\_\_ For Grant of Anticipatory Bail in Case FIR No.\_\_\_ dated \_\_\_\_ Under Section \_\_\_ of Electricity Act Police Station \_\_\_\_\_\_\_\_.

Sir,

The applicant/petitioner most respectfully submit as under: –

1- That the applicant/accused has been falsely implicated in the above noted case by the S.D.O., \_\_\_\_\_, \_\_\_\_\_\_\_\_\_ and on the instance of the SDO, the said police registered the said case against the applicant/accused. The applicant/accused is an innocent person and has no concern with the alleged offence as alleged by the said police.

2- That the said SDO \_\_\_\_\_\_, imposed the penalty of Rs. \_\_\_\_\_\_\_/- on dated \_\_\_\_\_\_\_\_\_\_ vide Memo No. \_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_.

3- That the applicant has deposited the penalty amount of Rs. \_\_\_\_\_\_/- on dated \_\_\_\_\_\_\_\_ in the office of S.D.O. , \_\_\_\_\_\_\_\_\_\_. The photocopy of the receipt is enclosed herewith.

4- That the applicant/petitioner is entitled for bail on the following grounds :-

Grounds of Bail:

(a) That the applicant/petitioner has already deposited all the amount of penalty before the office of \_\_\_\_\_\_\_\_\_\_. The photocopy of the same are enclosed herewith.

(b) That now the police of P.S. \_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_ and is visiting the house of the applicant and is unnecessarily harassing the applicant.

(c) That the applicant/petitioner undertakes to join the investigation as and when required by the police of police Station \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_.

(d) That there is no apprehension for absconding or evading of taking trial.

(e) That the applicant/petitioner undertakes not to temper with the evidence or witnesses.

(f) That the applicant/petitioner undertakes for not to leave India without the prior permission and consent of the Hon’ble court.

(g) That the applicant/petitioner undertakes to abide by all the terms and conditions as imposed by the Hon’ble court in the event of bail.

(h) That in such type of false cases the bail is rule and refusal of the bail will not serve any purpose.

It is, therefore prayed that the applicant/petitioner may kindly be released/granted anticipatory bail and the SHO concerned/ I.O. of concerned police station \_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_ may kindly be directed to release the applicant/petitioner on bail in the event of his arrest

Dated :\_\_\_\_\_ Applicant/Petitioner

\_\_\_\_\_\_ son of Shri \_\_\_\_\_\_\_ R/o

 \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_

Through counsel:

\_\_\_\_\_\_\_\_\_\_\_\_, Advocate, \_\_\_\_\_\_\_\_\_

**ANTICIPATORY BAIL UNDER SECTION 438, CRPC**

In the Court of the Sessions Judge at …………………….

Mr…………………………………..s/o…………………………………… resi…………………………………………. ... Petitioner

Versus

The State of…………………………………………………………………………………………………………………Respondent

The humble petition of the petitioner above-named

Respectfully showeth:

1. That a burglary was allegedly committed in a Colony which is near to the Colony ….where the petitioner's house is located on the night of dated………….

2. That owner of house, where burglary had been committed, bear enmity with petitioner for many years on landed properties and is implicating the petitioner falsely in said ………….. case.

3. That the petitioner believes that he may be arrested on accusing him the said offence of burglary, a non-bailable offence by police at instance of said owner of house where burglary is allegedly committed.

4. That the petitioner undertakes to abide by all conditions in clauses (i) to (iii) of sub-stated in sec. (2) of section 438, Cr PC and obeying other conditions so imposed by Your Honour.

your petitioner prays that Your Honour may be kindly pleased to issue a direction to S.H.O. Police Station West that if petitioner is arrested he may be released on bail on conditions that Your Honour may impose on petitioner.

And your petitioner, as in duty bound, shall ever pray .

DEPONENT

**VERIFICATION**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the above named deponent do hereby verify on oath that the contents of the affidavit above are true to my personal knowledge and nothing material has been concealed or falsely stated. Verified at \_\_\_\_\_\_\_this \_\_\_\_\_day of\_\_\_\_\_\_\_

DATE:

PLACE:

DEPONENT

**Application under Section 437 of Cr PC**

 **for the grant of Bail.1**

IN THE COURT OF \_\_\_

……………………………………………………………………………………. Petitioner

 Versus

………………………………………………………………………………………Respondents

Application under Section 437 of CrPC for the grant of Bail

Respectfully ……………:

1. That the applicant is facing trial before this Hon'ble Court in case titled as \_\_\_\_\_ Vs \_\_\_\_\_\_ for the offence under Sections \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of IPC.

2. That the said case was fixed for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The applicant could not put in his presence on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ due to reasons that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. This Hon'ble court was pleased to issue Non-Bailable Warrants and the Police has accordingly arrested the applicant/accused. That non-appearance of the applicant on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ was neither willful nor intentional but due to reasons beyond the control of the applicant.

3. That the applicant/accused is a permanent resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and earning livelihood by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The applicant has his old parents dependent upon him and the applicant is the only bread earner for the family.

4. That by getting the applicant/accused arrested the applicant has been deprived of his valuable fundamental right of liberty by abuse of powers and process of law by the complainant. \_\_\_\_\_

5. That the applicant is willing to furnish surety and bail bonds to the satisfaction of this learned court in case he is ordered to be released on bail.

It is, therefore, most respectfully prayed that the applicant may kindly be ordered to be released on bail and this application for bail may kindly be allowed in the interest of justice. Such other orders be also passed in favour of the applicant as deemed fit and proper in the facts and circumstances of the case and in the interest of justice.

……………………………Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

Note:-

1. This application is filed through the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ father and next friend of the applicant/accused, Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. It is, therefore, prayed that the application of the applicant/accused may kindly be allowed and the applicant/accused may kindly be released on interim bail in the interest of Justice.

2. That the applicant/accused is under police custody. Therefore, the requirement of affidavit and signature may kindly be dispensed with.

……………………….. Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**IN THE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

………………………………………………………………………….Applicant

Versus

………………………………………………………………………Respondent

Affidavit in support of the application under Section 437 of Cr. P. C.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirms and declare as under:-

1. That the accompanying application under section 437 Cr.P.C. has been drafted at my instance and under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_ are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed here at…………………………. on \_\_\_\_\_\_.

Deponent

**Bail application format to file**

**Before High Court**

 under Section 439 CRPC download. How to prepare bail application under CRPC 439 before the High Court. What are the documents to be attached

Section 439 of Code of Criminal Procedure , 1973 contemplates that the Sessions Court or the High Court can grant bail to a person who has been arrested

**BAIL FORMAT INDIA TO BE FILED BEFORE THE HIGH COURT IN THE EVENT OF THE APPLICATION FOR BAIL BEING DISMISSED BY THE SESSIONS COURT**

BEFORE THE HIGH COURT AT (give the name of the High Court where the bail application format India is being filed)

IN THE MATTER OF

STATE

VS

(Mention the name of the accused)

FIR Number: (Mention the FIR number)

Under Section: (Mention the sections under which the FIR has been filed)

Police Station: (Mention the name of the Police Station)

Accused in custody since: (Give the date since when the accused is in custody)

**APPLICATION U/S 439 CRPC FOR GRANT OF ANTICIPATORY BAIL ON BEHALF OF THE ACCUSED** (name of the applicant of the bail)

**MOST RESPECTFULLY SUBMITTED AS UNDER:**
1. That the present FIR has been registered on false and bogus facts. The facts stated in the FIR are fabricated, concocted and without any basis.

2. That the police has falsely implicated the applicant in the present case, and has arrested him. The applicant is a respectable citizen of the society and is not involved any criminal case.

3. That the facts stated in the complainant against the applicant are civil disputes and does not constitute any criminal offence at all.

4. That the applicant is not required in any kind of investigation nor any kind of custodial interrogation is required.

5. That the applicant is having very good antecedents, he belongs to good family and there is no criminal case pending against them.

6. That the applicant is a permanent resident and there are no chances of his absconding from the course of justice.

7. That the applicant undertakes to present himself before the police/court as and when directed.

8. That the applicant undertakes that he will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

9. That the applicant further undertakes not to tamper with the evidence or the witnesses in any manner.

10. That the applicant shall not leave India without the previous permission of the Court.

11. That the applicant is ready and willing to accept any other conditions as may be imposed by the Court or the police in connection with the case.

12. That the Court below has failed to consider all the facts and circumstances of the case and has wrongly dismissed the bail application.
It is therefore prayed that the court may direct the release the applicant on bail in the interest of justice.

Any other order which the court may deem fit and proper in the facts and circumstances of the case may be also passed in favor of the applicant.

APPLICANT

THROUGH

COUNSEL

**IMPORTANT POINTS FOR FILING OF BAIL FORMAT INDIA UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE:**

The bail format India under Section 439 of the Code of Criminal Procedure can be signed by any close relative or Parokar of the accused.

An affidavit in support of the bail format India is also to be filed alongwith the main application.

A readable copy of the FIR is also to be filed alongwith the bail format India.

All relevant documents are also to be filed alongwith the bail format India on the basis of which the applicant is seeking bail from the court.

The bail format India is also to be signed by the Counsel who is filing the bail format India either through his memo of appearance or power of attorney.

The details of the FIR, name of the accused, fathers name of the accused should be properly mentioned in the bail format India so that the said contents are properly mentioned in the release order and the Jail authorities are able to identify the accused properly.

**FORM NO. 44A**

**XLIV-A - BOND FOR APPEARANCE OF OFFENDER RELEASED PENDING REALISATION OF FINE [See Section 424 (1)(b)]**

WHEREAS I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ inhabitant of Vill: \_\_\_\_\_\_\_\_\_\_\_\_

 PO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PS: \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Teh: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Distt: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [MAH] have been sentenced to pay a fine of Rupees \_\_\_\_\_ and in default of payment thereof to undergo imprisonment for \_\_\_\_\_; and whereas the Court has been pleased to order my release on condition of my executing a bond for my appearance on the following date [or dates], namely :-

I hereby bind myself to appear before the Court of \_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_J\_ o'clock on the following date [or dates], namely:-

and, in case of making default herein, I bind myself to forfeit to Government the sum of Rs. \_\_\_\_\_ .

Dated,\_\_\_\_\_\_\_\_\_\_\_\_\_\_this\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[Signature]

**WHERE A BOND WITH SURETIES IS TO BE EXECUTED, ADD –**

We do hereby declare ourselves sureties for the above-named that he will appear before the Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the following date [or dates], namely:-

and, in case of his making default therein, we bind ourselves jointly and severally to forfeit to Government the sum of Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [Signatures]

**Affidavit**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That I own and possess immovable and movable property worth Rs. \_\_\_\_\_ at village: \_\_\_\_\_ PO: \_\_\_\_\_ Teh: \_\_\_\_\_ Dist: \_\_\_\_\_ MAH. The same is free from all encumbrances and I hereby declare that the aforesaid property shall remain free from all encumbrances till the final disposal of the trial or I am surety in the present case proportionately to the extent of the amount of the bail/surety bond.

2. That I am employee at \_\_\_\_\_ and draw a monthly salary of Rs. \_\_\_\_\_. Deponent

**Verification:**

I, the above said deponent do hereby verify that the contents of my above affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified here at …………………………. Deponent

**FORM NO. 45**

XLV. - BOND AND BAIL-BOND FOR ATTENDANCE BEFORE OFFICER-IN-CHARGE OF POLICE STATION OR COURT [See Sections 436, 437, 438(3) and 441]

In the Court of Ld. \_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 resident of Vill\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

PO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 PS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Teh:KALYAN \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Dist: THANE\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , {MAH} having been arrested or detained without warrant by the Officer-in-Charge of \_\_\_\_\_ police station \_\_\_\_\_ [or having been brought before the Court of \_\_\_\_\_], charged with the offence of \_\_\_\_\_, and required to give security for my attendance before such Officer or Court on condition that I shall attend such Officer or Court on every day on which any investigation or trial is held with regard to such charge, and in case of my making default herein, I bind myself to forfeit to Government the sum of Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Dated, this {Signatures}

I hereby declare myself [or we jointly and severally] declare ourselves and each of us] surety [or sureties] for the above said \_\_\_\_\_ that he shall attend the Officer-in-Charge of \_\_ or any trial on such charge is held, that he shall be, and appear, before such Officer or Court for the purpose of such investigation to answer the charge against him [as the case may be], and in case of his making default herein, I hereby bind myself [or we, hereby bind ourselves] to forfeit to Government the sum of Rs. \_\_\_\_ .
Dated, this \_\_\_\_\_\_\_\_\_.

[Signatures]

 **Application under Section 436 of Cr PC**

**for the grant of Bail**

**IN THE COURT OF \_\_\_**

Petitioner

Versus

Respondents

FIR No. : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Police Station: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Offence Under Section: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Application under Section 436 of Cr PC for the grant of Bail

Respectfully Sheweth:

1. That the applicant has been involved in a false and frivolous case by one Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by lodging a complaint with the SHOPS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_ for offence under sections \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the IPC. The applicant/accused has been arrested by the Police of Police Station: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ subsequent to the above complaint.

2. That it is submitted that the allegations made against the applicant/accused are false, frivolous and vexatious and lack in the material substance. The applicant belongs to a very reputed family in his locality. The allegations are that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. That the applicant/accused is a permanent resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and earning livelihood by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The applicant has his old parents dependent upon him and the applicant is the only bread earner for the family.

4. That the applicant/accused is innocent and has been involved falsely due to the personal grudge to settle the score against the applicant/accused\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ OR due to enmity and family feud. It is submitted that the complainant is an influential and high-handed person. \_\_\_\_\_\_\_\_

5. That by getting the applicant/accused arrested the applicant has been deprived of his valuable fundamental right of liberty by abuse of powers and process of law by the complainant. \_\_\_\_\_\_\_\_

6. That the applicant is willing to furnish surety and bail bonds to the satisfaction of this learned court in case he is ordered to be released on bail. The applicant is also willing to join the investigations and bind himself by the terms and conditions laid down by the law or by this Hon'ble court. It is further submitted that the applicant is not at all required for the investigations. However, if the applicant is required for investigation, the applicant/accused undertakes to be present as and when required in accordance with the law.

7. That neither any recovery is to be effected from the applicant nor the applicant is in a position to temper with the prosecution evidence. The applicant will associate with the investigation whenever required to do so.

It is, therefore, most respectfully prayed that:-

(a) That the applicant may be ordered to be released on bail and this application for bail may kindly be allowed;

(b) That till the decision of this application interim bail may be granted to the applicant; \_\_\_\_\_

(c) That the directions may be issued to the police to get the applicant/accused medically examined at the immediately; \_\_\_\_\_
(d) Such other orders be also passed in favour of the applicant as deemed fit and proper in the facts and circumstances of the case and in the interest of justice.

Coimbatore Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

Note:-

1. This application is filed through the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ father and next friend of the applicant/accused, Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ . It is, therefore, prayed that the application of the applicant/accused may kindly be allowed and the applicant/accused may kindly be released on interim bail in the interest of Justice.

2. That the applicant/accused is under police custody. Therefore, the requirement of affidavit and signature may kindly be dispensed with.

………………………………………… Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**IN THE COURT OF \_\_\_**

………………………………………………………………………………………………………..……Applicant

Versus

………………………………….………………………………………………………………………….Respondent

Affidavit in support of the application under Section 436 of CrPC

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirms and declare as under:-

1. That the accompanying application under section 436 CrPC has been drafted at my instance and under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_ are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed here at………………………… on \_\_\_\_\_\_.

Deponent

**Application under Section 109 & 123 of CrPC**

IN THE COURT OF THE LD. SDM (U) EXERCISING THE POWERS OF EXECUTIVE MAGISTRATE AT ………………

Application No.:\_\_\_\_\_\_ of …………

1.

2

Applicant/Suspect

Versus

Respondents

Application under Section 109 & 123 of CrPC for releasing on bail the applicant/suspect on furnishing sureties/securities to the satisfaction of this Ld. court.
Respectfully Sheweth:-

1. That the applicants/suspects have been kept in police custody since \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by the SHO of Police Station: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the suspicion of likely to commit a cognizable offence under Sections of IPC.

2. That the applicants submit that they are innocent and have neither any intention of committing any such offence nor have ever committed any such offence. The applicants have been falsely implicated in the said case by some person with vested interest to harass the applicant.

3. That by keeping the applicants/suspects under custody and arrested the applicants have been deprived of their valuable fundamental right of liberty by abuse of legal provisions and process of law by the complainant.

4. That the applicants are willing to furnish surety and bail bonds to the satisfaction of this Ld. Court in case they are ordered to be released on bail. The applicants are also willing to join the investigations and bind himself by the terms and conditions laid down by the law or by this Ld. court. It is further submitted that the applicant is not at all required for the investigations and the investigations are over. However, if the applicant is required for investigation, the applicant/suspect undertakes to be present as and when required in accordance with the law.

5. That neither any recovery is to be effected from the applicant nor the applicant is in a position to temper with the prosecution evidence. The applicant will associate with the investigation when ever required to do so.

It is, therefore, most respectfully prayed that:-

(a) that the applicants may be ordered to be released on bail and this application for bail may kindly be allowed;

(b) that till the decision of this application interim bail may be granted to the applicants;

(c) Such other orders be also passed in favour of the applicant as deemed fit and proper in the facts and circumstances of the case and in the interest of justice.

.…………… Applicant

\_\_\_\_\_\_ Through, Advocates

Note:-

This application is filed through the next friend of the applicants/suspect as the applicants are in police custody. It is, therefore, prayed that the application of the applicant/suspect may kindly be allowed and the applicant/suspect may kindly be released on interim bail in the interest of Justice.

…………………………. Applicant

\_\_\_\_\_ Through counsels

**IN THE COURT OF LD SDM (U) EXERCISING POWERS OF EXECUTIVE MAGISTRATE AT ………………………….**

 ………………………….. Applicant

Versus

…………….. ………... Respondent

Affidavit in support of the application

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirms and declare as under:-

1. That the accompanying application has been drafted at my instance and under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ are true and correct to the best of my

knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is

false and nothing material has been concealed therein.

Affirmed here at …………….. on \_\_\_\_\_\_.

**FORM NO. 13**

Bond for Good Behaviour

(See sections 108, 109 and 110)

WHERES I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .(name, inhabitant of (place) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ have been called upon to enter, into a bond to be of good behaviour to Government and all the citizens of India for the term of \_\_\_\_\_\_\_.(state the period) or until the completion of the inquiry in the matter of \_\_ pending in the court of \_\_\_\_\_\_\_ . I hereby bind myself to be of good behaviour to Government and all the citizens of India during the said term or until the completion of' the said inquiry; and, in case of my making default therein, I hereby, myself to forfeit to Government the sum of rupees \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Dated, this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_

(Seal of the court)

(Signature)

(Where a bond with sureties to be executed, add \_\_.)

We do hereby declare ourselves sureties for the above-named \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. that he will be of good behaviour to Government and all the citizens of India during the said term or until tile completion of the said enquiry; and, in case of his making default therein, we bind ourselves, jointly and severally, to forfeit to Government the sum of rupees .

Dated, this \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Seal of the court) (Signature)

**Application under Section 439 CrPC**

IN THE HON'BLE DISTRICT AND SESSION COURT AT ……………………

Cr MP (M) No:\_\_\_\_\_\_ 20…

……………………………………………………………………………………..……..Applicant/Petitioner

 VERSUS

……………………………………………………………………………….…………….Respondents

Application under Section 439 CrPC for the grant of Bail

Respectfully Sheweth:

1. That the accused Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the applicant has been involved in a false and frivolous case by one Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by lodging a complaint/FIR No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_\_\_\_ under Sections \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of IPC with the ………….: \_\_\_\_\_\_\_. The accused has been arrested by the Police of Police Station: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ subsequent to the above complaint.

2. That it is submitted that the allegations made against the accused are false, frivolous and vexatious and lack in the material substance. The accused has nothing to do with the alleged offences. The accused belongs to a very reputed family in his locality. The allegations are that \_\_\_\_\_\_\_\_\_

3. That the accused is a permanent resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and earning livelihood by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The accused has his old parent’s dependent upon him and the accused is the only bread earner for the family.

4. That the accused is innocent and has been involved falsely due to the personal grudge to settle the score against the accused by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ due to \_\_\_\_\_\_\_\_. \_\_\_\_\_\_\_\_It is submitted that the complainant is an influential and high-handed person.

5. That by getting the accused arrested the accused has been deprived of his valuable fundamental right of liberty by abuse of legal provisions and process of law by the complainant.

6. That the accused is willing to furnish surety and bail bonds to the satisfaction of this Hon'ble court on being ordered to be released on bail. The accused is also willing to join the investigations and bind himself by the terms and conditions laid down by the law or by this Hon'ble court. It is further submitted that the accused is not at all required for the investigations and the investigations are over. However, if the accused is required for investigation, the applicant undertakes that the accused will be present as and when required in accordance with the law.

7. That neither any recovery is to be effected from the accused nor is the accused in a position to temper with the prosecution evidence. The accused will associate with the investigation whenever required to do so.

8. That the petitioner submits that no such application on behalf of the accused on the same or similar grounds has been filed or is pending in any other court.

9. That the accused has immovable property in the said village and is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_self-employed in the reputed government job and there is no chance of his jumping over the bail.

10. That the accused further undertakes not to tamper with any prosecution evidence or terrorize the witnesses.

11. The accused undertakes not to leave the jurisdiction of state of ………. and India without the orders of the Court.

It is, therefore, most respectfully prayed that:-

(a) that the accused may kindly be ordered to be released on bail and this application for bail may kindly be allowed;

b) that till the decision of this application interim bail may kindly be granted to the accused;

(c)\_\_\_\_\_\_\_\_that the directions may kindly be issued to the police to get the accused medically examined immediately;

d) Such other orders be also passed in favour of the applicant/accused as deemed fit and proper in the facts and circumstances of the case and in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY.

…………………………… Applicant/Petitioner

\_\_\_\_\_\_

Through, Advocate

Note:-

This application is filed through the father and next friend of the applicant/accused, Mr………. \_\_\_\_\_. It is, therefore, prayed that the application of the applicant/accused may kindly be allowed and the applicant/accused may kindly be released on interim bail in the interest of Justice.

…………………………….

Applicant

----------------

Through, Advocate

**IN THE HON'BLE DISTRICT AND SESSION COURT AT …………………………..**

Cr MP (M) No:\_\_\_\_\_\_ of 20….

…………………………………………………………………………..Applicant

 ………........................................................……………………………….Petitioner

Versus

……..……………………………..State of…………………….……………………… through Public Prosecutor

Affidavit in support of application under Sec 438 of CrPC

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is true, no part of it is false and nothing material has been concealed therein.

Affirmed at………………………………. this the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Deponent

**Anticipatory Bail Application**

IN THE COURT OF SESSIONS FOR GREATER BOMBAY CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. \_\_\_\_\_\_\_ OF 20

………………………………………………………………Resi at \_\_\_\_\_\_\_\_\_\_\_ ........ Petitioner

 V/s

1. State of Maharashtra at the instance of The Inspector of Police In-charge of \_\_\_\_\_\_\_\_Police Station ........ Respondent

CRIMINAL ANTICIPATORY BAIL APPLICATION UNDER SECTION 438 OF THE CRIMINAL PROCEDURE CODE, 1973.

To

THE HON’BLE PRINCIPAL JUDGE AND HIS COMPANION JUDGES OF THIS HON’BLE COURT.THE HUMBLE PETITION OF THE PETITIONER ABOVENAMED:MOST RESPECTFULLY SHEWETH:

1.     The petitioner is a citizen of India. The petitioner is about \_\_\_years old and is unmarried. The petitioner is a permanent resident of Mumbai, residing at the address as mentioned in the cause title since birth. The petitioner is the son of \_\_\_\_\_\_\_\_\_\_\_\_, who is the co-owner of the aforesaid premises. The petitioner’s father shares the said premises amongst others with one of the petitioner’s …………………….. The petitioner’s father and the said…………………………. are also partners in a firm called M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_ situated at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2.     The petitioner’s …………………………………………….. are involved in various civil disputes relating to the said partnership firm, the residential premises and other commonly held properties. There are many cases and proceedings pending in different courts in Mumbai relating to the same. The said ………………… has also time and again dragged the petitioner’s father and his family to the Criminal courts and/or police station. However on each of the occasions the said ………………… has met with no success but continues to harass the petitioner, his parents and other family members by lodging false, frivolous and mischievous complaints one after the other.

3.     The petitioner understands that the said ………………………. has filed a complaint on or around \_\_\_\_\_\_\_\_\_ in the \_\_\_\_\_\_\_\_\_\_\_\_ under Sections \_\_\_\_\_\_\_\_\_\_\_\_\_ of the Indian Penal Code against the petitioner’s ……………………….. of his family members including the petitioner …………………………………………………………………………………………. The petitioner says and submits that the said complaint has been filed by the said ……………… as a continuation of the process of harassment and vendetta against the petitioner’s father and with a view to coerce and threaten the petitioner into submission in relation to the civil disputes pending between the petitioner and the said ………………... The petitioner states that on the said date of \_\_\_\_\_\_\_\_\_\_, the said …………………… had stolen the petitioner’s mobile phone and the petitioner had lodged an N.C. complaint (being complaint No.\_\_\_\_\_\_\_\_\_ of 20………) at the \_\_\_\_\_\_\_\_\_ police station. The complaint by ………….. is merely a counter blast.

4.     The petitioner apprehends that on the basis of the allegations contained in the said counter complaint of …………………. the police authorities are likely to arrest / detain him. The petitioner is a respectable citizen of India and is well known in the locality where he stays. The petitioner is an educated youth being \_\_\_\_\_\_\_\_\_ (mention the educational qualifications). The petitioner is an Income-tax assessee. The petitioner has acquired his reputation which would be tarnished if he is arrested and/or detained. The petitioner has done nothing to warrant that his reputation to be harmed at the behest of his disgruntled uncle, i.e. said Mr. ………………...

5.     The petitioner says that the nature of disputes between his father and his uncle are civil and the courts are fully seized of the same and as a law abiding citizen of the country the petitioner shall abide by the verdict of the Honorable courts.

6.     The petitioner says and submits that there is no allegation against him requiring custodial interrogation and therefore prays that in the event of the petitioner’s arrest by the \_\_\_\_\_\_\_\_\_\_\_\_\_Police Station on the basis of the aforesaid allegations made by ……………………….., this Honorable court be pleased to release him on Bail on such terms and conditions and on such amount as this Honorable court may deem fit and proper. The petitioner undertakes to extend his fullest co-operation to the police and report at the police station as and when required for any investigation. The petitioner has his roots in Mumbai and is living in Mumbai since his birth. The petitioner’s father is the co-owner of immovable property \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (describe the immovable property and give its address in detail). The petitioner, his brother and his parents are all residing together at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Give residential address in full). There is no apprehension of the petitioner absconding. There is no threat of the petitioner tampering with the evidence in any manner whatsoever.

The petitioner therefore prays:

a.     that in the event of the arrest of the petitioner by the \_\_\_\_\_\_\_\_\_\_ Police station on charges arising out of the complaint made by ………………………………., the Inspector of Police be directed to release the petitioner on bail of such amount and on such terms and conditions as this Honorable court may deem fit and proper;

b.    for such other and further reliefs as may be deemed fit and proper in the facts and circumstances of the case.

Mumbai dated this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_, 20………….

Petition drawn by: Petitioner

Advocate for the Petitioner

**VERIFICATION**

      I.        …………………………………………………………, the petitioner above-mentioned, do solemnly affirm that what is stated in this petition save and except legal submissions is true to my personal knowledge.

Solemnly affirmed at Mumbai on) this \_\_\_\_\_\_ day of ……………………………………)

Petitioner

Before me

Advocate for the petitioner.

 **Application under Section 438 CrPC**

**for the grant of Bail.1**

IN THE COURT OF SESSIONS JUDGE, ……………………

IN CASE:

……………………………..………………………………………………………………………..Petitioner

Versus

………………………………………………………………………………………………………..Respondents

Application under Section 438 CrPC for the grant of Anticipatory Bail

Respectfully Sheweth:

1. That the applicant has been involved in a false and frivolous case by one Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by lodging a complaint with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for offence under sections \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the IPC.

2. That the applicant apprehends arrest by the police in the above said non bailable case.

3. That the applicant is innocent and has been involved due to the enemity and family feud.

4. That the applicant is willing to furnish surety and bail bonds to the satisfaction of this learned court in case he is ordered to be released on anticipatory bail.

5. That neither any recovery is to be effected from the applicant nor the applicant is in a position to temper with the prosecution evidence. The applicant will associate with the investigation when ever required to do so.

It is, therefore, prayed that the applicant may be ordered to be released on bail and this application for anticipatory bail may kindly be allowed. It is further prayed that till the decision of this application interim bail may be granted to the applicant. Such other orders be also passed in favour of the applicant as deemed fit and proper in the facts and circumstances of the case and in the interest of justice.

…………………………………….…. Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**IN THE COURT OF SESSIONS JUDGE ……………………………….**

IN CASE:

Applicant

Versus

Respondent

Affidavit in support of the application under Section 438 of CrPC

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirms and declare as under:-

1. That the accompanying application under section 438 CrPC has been drafted at my instance and under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_ are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed here at …………………..on \_\_\_\_\_\_.

Deponent

**IN THE HON'BLE HIGH COURT OF …………..**

**IN THE MATTER OF:**

Case No: Cr. M. .P [ M] No: \_\_\_\_\_\_ of 20....

Cr. M. P. M.: of ……………in

Cr. No:\_\_\_\_\_\_ of ……………

Appellant./Non-applicant.

 VERSUS

APPLICANT/RESPONDENT.
Criminal Misc. Petition U/S 482 of Cr. P.C. with the prayer to extend the time for filing power of attorney and furnishing personal as well as surety bail bonds in the above noted case.

MAY IT PLEASE YOUR LORDSHIPS:

1. That the above mentioned Criminal Appeal titled as ………………………………..is pending before this HON'BLE COURT for adjudication.

2. That the above mentioned case came before this HON'BLE COURT on ………………………….. wherein the time was sought for filing of Power Of Attorney and for Furnishing Of Bail Bonds, which were to be filed within a period of …………………..….

3. That the delay in filing of Power Of Attorney and Furnishing of Bail Bonds is due to the reason that I could not contact my client despite my best efforts. So the Bail Bonds could not be furnished within the stipulated time.

4. That the delay in filing of Power Of Attorney and Furnishing of Bail Bond is neither willful nor intentional but for the reasons mentioned as above.

Therefore keeping in view the facts and circumstances as mentioned above it is therefore respectfully prayed that further time of ………… […………….] weeks be granted for the Filing Of Power Of Attorney and furnishing of Bail Bond in the interest of justice.

Place:

Applicant

Through

Counsel.

( \_\_\_\_\_\_)

Advocate.

**IN THE HON'BLE HIGH COURT OF ………….**

IN THE MATTER OF:

…………………………………………………………………………………………………APPLICANT

VERSUS

……………………………………………………………………………………………..RESPONDENT

Affidavit in support of application U/S 482 CR. P. C.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

aged about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ years, occupation Advocate do hereby verify and solemnly states on oath as under :-

1.That the contents of paras 1 to 5 of the application are true and correct to the best of my personal knowledge.

2. That I further solemnly affirm and declare that this affidavit of mine is true, no part of it is false and nothing material has been concealed therefrom.

Affirmed at …………………………on this the \_\_\_\_\_\_.

Deponent.

**IN THE HON'BLE HIGH COURT OF ……………**

**IN THE MATTER OF:**

Cr. Misc. No \_\_\_\_\_\_of ……..

IN Cr. AppealNo ………… of …………..

……………………………………………………………………………..Appellant/Non -applicant.

VERSUS

…………………………………………………………………………....APPLICANT /RESPONDENT.

Criminal misc. petition U/S 482 of Cr.P.C. with the prayer to extend the time for furnishing personal as well as surety bail bonds in the above noted case.

MAY IT PLEASE YOUR LORDSHIPS ;

1. That the above mentioned Criminal Appeal titled as ……………………………………..is pending before this HON'BLE COURT for adjudication.

2. That the above mentioned case came before this HON'BLE COURT on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, wherein the time was sought for furnishing of bail bonds, which were to be filed within a period of……….. (….….) weeks.

3. That the delay in furnishing of bail bonds is due to the reason that respondent has met with a serious accident in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as a result of which his vision has been impaired. He is under going treatment for the same.

4. That the respondent has been trying all the time to furnish personal as well as surety bail bonds before the Deputy Registrar \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, but being a foreigner does not have any acquaintance in ……………………………………...…………. who could furnish surety bail bonds.

It is therefore most humbly prayed that respondent be allowed to furnish bail bonds before Chief Judicial Magistrate, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or Additional Session Judge, \_\_\_\_\_\_, Distt. \_\_\_\_\_\_

5.That the delay in furnishing of bail bonds is neither willful nor intentional but for the reasons mentioned as above.

Therefore keeping in view the facts and circumstances as mentioned above it is therefore respectfully prayed that further time of four (4) weeks be granted for the furnishing of bail bonds before the Chief Judicial Magistrate, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or Additional Session Judge, \_\_\_\_\_\_. Distt. \_\_\_\_\_\_, in the interest of justice.

Place

Applicant

Through

Counsel.

(\_\_\_\_\_\_\_\_\_)
Advocate.

**ANTICIPATORY BAIL APPLICATION**

Section **307, 392, 323, 143, 323, 143, 144, 147, 148, 149 of I.P.C.**

**IN THE HIGH COURT OF JUDICATURE AT------**

**CRIMINAL APPELLATE JURISDICTION CRIMINAL**

**ANTICIPATORY BAIL APPLICATION NO.: - OF 2022**

**DISTRICT: ----**

First Application for Anticipatory bail,

in Hon’ble High Court u / s. 438 of Cr.P.C. in connection with

Police Station C. R. No. -------------registered under Section **307, 392, 323, 143, 323, 143, 144, 147, 148, 149 of I.P.C.** and 37(1)135 of B. P. Act.

**ABC , - Age 45 years, Occ. Business,)**

**RamNagar, Dist. Andheri)**

**……...Applicant**

**Versus**

**THE STATE OF MAHARASHTRA**

**[Ramnagar Police Station]**

**……… Respondent**

**TO,**

**THE HONORABLE CHIEF JUSTICE AND**

**THE OTHER HONORABLE COMPANION JUDGES OF**

**THE HONORABLE HIGH COURT OF JUDICATURE AT BOMBAY.**

**THE HUMBLE APPLICATION OF THE APPLICANT ABOVENAMED MOST RESPECTIFULLY SHEWETH:**

1. The Applicants approaches this Hon’ble Court with the prayer that this Hon’ble Court may be pleased to exercised its jurisdiction under section 438 of Cr. P. C. and this Hon’ble court may be pleased to release the Applicant above named on bail on any suitable terms and conditions, as this Hon’ble Court may deem fit and proper, in the event of his arrest in connection with the Ramnagar East Police Station C. R. No. I – 123 / 2022 registered under Section 307, 392, 323, 143, 323, 143, 144, 147, 148, 149 of I.P.C. and 37(1)135 of B. P. Act.

2. The brief facts of the prosecution case as revels from F.I.R. are as under: The complainant Ramesh Rao, R/o. Ramnagar has lodged FIR against the applicant and others on 15/9/2022 at 4:30 a.m. in respect of the incident that allegedly took place on 15/9/2022 at 2:00 a.m. The complainant has alleged that he was having love affair with one Ashu, i.e. the daughter of the present applicant since last 6 month and when her parents came to know about the same, they stopped her college and tuitions since three month and therefore the complainant could not meet her and they were communicating on phone or through SMS. It is alleged that prior to 2 – 3 days the said Ashu asked the complainant to meet her on 15/9/2022 at 2:00 a.m. It is alleged that accordingly the complainant went near the house of said Ashu and was waiting for her; however she did not came. It is alleged that while the complainant was proceedings towards the house of the said Ashu i.e. Applicant’s house, he was given blows by sharp edged weapon on his head and back and thereafter he fell down and he was assaulted by fist blows and at that time he saw the faces of the assailants. It is alleged that at that time his gold chain and mobile was snatched.

The complainant has alleged that 1) ABC, 2) DEF, 3) GHI, 4) JKL, 5) MNO, 6) PQR, 7) STU, 8) UWX and 9) YZA and some others were the person who assaulted him. The complainant further alleged that the accused thereafter took him near the house of ABC / Applicant and he was thrown there and thereafter Police came to the spot and he was taken to the Rural Hospital. The statement of complainant was recorded and offence was registered against the Applicant and others vide Ramnagar Police Station C. R. No. I – 123 / 2022 registered under Section 307, 392, 323, 143, 323, 143, 144, 147, 148, 149 of I.P.C. and 37(1)135 of B. P. Act. Here to annexed and marked as “Exhibit – A ” is the Copy of the said F.I.R. in Ramnagar Police Station C. R. No. I – 123 / 2022.

3. The Applicant states that the FIR lodge by the complainant is absolutely false and on the contrary the complainant tried to outrage the modesty of one Ms. YZA i.e. the niece of the present applicant. She has contended that she slept in her house along with her family members on that day and she wake up at about 1:30 a.m. on 15/9/2013 for answering natures call and while she was proceeding to bathroom, which is at a distance of 50 feet from her residence, one person i.e. Ramesh Rai hugged her from behind in indecent manner and she started shouting and her family members gathered and caught him. At that time while he was trying to escape, he felled down and sustained injuries on his head. At that time the Applicant made phone call to police and they took Ramesh along with them and the complainant thereafter lodged FIR against said Ramesh Rai and on the basis of said complaint offence came to be registered against said RameshRai vide Ramnagar East Police Station C. R. No. I – 456 / 2022 under Section 354 of I.P.C. Here to annexed and marked as “Exhibit – B” is the Copy of the said F.I.R. in Ramnagar Police Station C. R. No. I – 456 / 2022

4. The Applicant states that after the said incident one YZA (sister in law of the Applicant) called the police to the said spot and she immediately went to the Police Station; however instead of recording complaint of YZA, the Police first recorded the complaint of said Ramesh Rai and initially the YZA was made to sit in the Police Station and then she was arrested and some other accused were also came to be arrested

5. The Applicant states that the Applicant was a councilor of Ramnagar Municipal Council in the last term and presently his wife is the councilor of said Council. The Applicant states that the Applicant is a active worker of Shivsena Party and he is also associated with various social and welfare activities in Ramnagar. The Applicant is falsely implicated in the alleged office on account of political motive.

6. The Applicant states that in the circumstances the Applicant preferred an Application for Anticipatory bail bearing No. 555 / 2022 and after hearing both the side the Ld. Addl. Sessions Judge, Kalyan by an Order dated 30/9/2022 rejected the said Application. The Copy of the said Order dated 30/9/2022 passed by the Ld. Addl. Sessions Judge, Kalyan below Exh. 1 in Cri. Anticipatory Bail Appln. No. 555 of 2022 is annexed herewith and marked as “Exhibit – B”.

7. The Applicant states that the investigation of the offence has been practically completed considering the facts and circumstance it cannot be said that any offence u/s. 307 has been made out by the complainant. The applicant states that for the reasons stated above the applicant above named has reasons to believe that he may be arrested by the police on the accusation of having committed anon-bailable offence and therefore the Applicant approaches this Hon’ble Court for releasing him on bail in the event of his arrest (anticipatory bail) on the following amongst many others grounds, which are pleaded without prejudice to one another:

**GROUNDS**

1. That the Applicant is innocent and he is falsely implicated in the alleged offence. He has nothing to do with the alleged offence.

2. That assuming the allegations made by the prosecution true for the sake of argument, the incident occurred in such situation that it can be seen that there was neither any motive nor intention to kill the complainant and as such the present applicant cannot said to have committed an offence punishable u/s. 307 of I.P.C.

3. That the Complainant is residing at Apte Wadi and where as the accused Applicant are residing at Navin Shinde Wadi and considering the distance, there was no reason for the complainant to come near the residence of the Applicant at about 2:00 a.m. and that itself show the mala fide intentions of the complainant.

4. That the complainant was admitted in hospital from 15/9/2022 to 26/9/2022 and he has been discharged from the hospital and even injuries sustained by him are not serious. That apart the alleged weapons of assault and the mobile has been recovered and as such the presence of the applicant for custodial interrogation is not necessary.

5. That no overt act what so ever has been attributed to the present applicant6. That taking in to consideration the totality of the circumstance by no stretch of imagination it can be said that the applicant can be held guilty of the offence punishable u/s. 307 of I.P.C. punishable with death or imprisonment for life.

7. That the Applicant is residing at the address mentioned herein above, along with his family and as such he will not abscond anywhere if he is released on bail.

8. The Applicant undertakes that he shall make himself available for interrogation by the police officer, in connection with this offence as and when required.

9. That the Applicant was elected as councilor of Ramnagar Municipal Council and he has been implicated in the said offence with some mala fide political motive;

10. That offence u/s. 354 of IPC is registered against the Complainant and it was the Applicant’s sister in law, who made a phone call to the Police for informing the said incident to police and only on the basis of phone call made by her, the Police visited the spot.

11. That as per the observation of medical officer, the complainant sustained the injury due to blunt object and it falsifies the allegation of the complainant that the injury was caused by a sharp edged weapon and considering the nature and place of injury the allegations made by the complainant that he was assaulted from the back side are apparently false and on the contrary it support the story narrated by Ms. Varsha.

12. That the Applicants craves leave to add, alter or amend any of the ground aforesaid.

13. That the accused Applicants are ready and willing to furnish reasonable surety that this Hon’ble court deem fit.

14. That the Applicant is ready and willing to abide by the terms and conditions put by this Hon’ble court, if he is released on anticipatory bail.

15. That the accused Applicant will not misuse the liberty and will not tamper the evidence.

16. That there are no criminal antecedents against the Applicant.

17. No other application is filed in Supreme Court or any other Court regarding the Subject matter. In the circumstances aforesaid the Applicants prays that,

a) The Accused Applicants above named may please be released on bail in the event of his arrest in connection with Ramnagar Police Station C. R. No. I – 123 / 2022 registered under Section 307, 392, 323, 143, 323, 143, 144, 147, 148, 149 of I.P.C. and 37(1)135 of B. P. Act. on such terms and condition as this Honourable Court may deem fit and proper.

b) That pending the hearing and final disposal of this application the applicant be released on interim bail in the event of his arrest, in connection with the Ramnagar Police Station C. R. No. I – 123 / 2022 registered under Section 307, 392, 323, 143, 323, 143, 144, 147, 148, 149 of I.P.C. and 37(1)135 of B. P. Act on such terms & conditions as this Hon’ble court deem fit and proper;

c) Ad-interim relief, in terms of prayer clause (b) above, d) And for such other and further relief as the nature and circumstance of the case may require. AND FOR WHICH ACT OF KINDNESS AND JUSTICE, THE APPLICANT SHALL AS IN DUTYBOUND EVER PRAY.

MUMBAI

DATED: / / 20

Applicant

SHRI. SHREEKANT V. GAVAND

Advocate for the Applicant

**VERIFICATION**

I Shri. ABC, Age - 45 years, the Applicant above named, residing at village Ramnagar, Dist. Thane do hereby state on solemn affirmation that what is stated in the above paragraphs is true & correct to the best of my knowledge & information, which I believe to be true.

**Mumbai**

**Date: / / 20**

**Applicant I know the deponent.**

**Advocate for Applicant**

**Bail application format under Section 437 CRPC download. How to prepare bail application under CRPC 437 before the Magistrate. What are the documents to be attached**

Section 437 of Code of Criminal Procedure, 1973 contemplates that any person arrested or detained in a non-bail able offence, the Court other than Sessions Court may grant him bail

**BEFORE THE COURT OF METROPOLITAN MAGISTRATE, AT (give the name of the police station or the Illaka Magistrate where the bail application is being filed)**

 IN THE MATTER OF

STATE
VS
(Mention the name of the applicant)

FIR Number: (Mention the FIR number)…………

Under Section: (Mention the sections under which the FIR has been filed)

Police Station: (Mention the name of the Police Station)

Accused under custody since: (Give the date on which accused has been arrested)

APPLICATION UNDER SECTION 437 CRPC FOR GRANT OF BAIL ON BEHALF OF THE ACCUSED (name of the applicant of the bail along with his fathers name, address and other details)

MOST RESPECTFULLY SUBMITTED AS UNDER:
1. That the present FIR has been registered on false and bogus facts. The facts stated in the FIR are fabricated, concocted and without any basis.

2. That the police has falsely implicated the applicant and arrested him in the present case, the applicant is a respectable citizen of the society and is not involved any criminal case.

3. That the facts stated in the complainant against the applicant are civil disputes and does not constitute any criminal offence at all.

4. That the applicant is not required in any kind of investigation nor any kind of custodial interrogation is required, nor any recovery is to be made at the instance of the applicant.

5. That the applicant is having very good antecedents, he belongs to good family and there is no criminal case pending against them.

6. That the applicant is a permanent resident and there are no chances of his absconding from the course of justice.

7. That the applicant undertakes to present himself before the police/court as and when directed.

8. That the applicant undertakes that he will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

9. That the applicant further undertakes not to tamper with the evidence or the witnesses in any manner.

10. That the applicant shall not leave India without the previous permission of the Court.

11. That the applicant is ready and willing to accept any other conditions as may be imposed by the Court or the police in connection with the case.

PRAYER
It is therefore prayed that the court may order for the release of the applicant on bail in the interest of justice.

Any other order which the court may deem fit and proper in the facts and circumstances of the case may be also passed in favor of the applicant.

APPLICANT
THROUGH
COUNSEL

IMPORTANT POINTS FOR FILING OF BAIL FORMAT INDIA UNDER SECTION 437 OF THE CODE OF CRIMINAL PROCEDURE:

The bail format India under Section 437 of the Code of Criminal Procedure is filed before the court of the concerned Magistrate first who is also called the Ilaka Magistrate.

The bail format India under Section 437 of the Code of Criminal Procedure is filed after the arrest of the accused by the police.

The bail format India under Section 437 of Code of Criminal Procedure can be filed by any close relative or Parokar on behalf of the accused if the bail application is being moved when the accused is not before the Court.

The bail format India is also to be signed by the Counsel who is filing the bail format India either through his memo of appearance or power of attorney.

No court fee is to be paid on the bail format India when the accused is in custody.

The details of the FIR, name of the accused, fathers name of the accused should be properly mentioned in the bail format India so that the Jail authorities are able to identify him properly after the release order from the Court.

# Bail application format under Section 439 CRPC download. How to prepare bail application under CRPC 439 before the Sessions Court. What are the documents to be attached

## Section 439 of Code of Criminal Procedure , 1973 contemplates that the Sessions Court or the High Court can grant bail to a person who has been arrested

BEFORE THE DISTRICT AND SESSIONS JUDGE COURT AT (give the name of the District Court where the bail application format India is being filed)

**IN THE MATTER OF**

STATE
VS
(Mention the name of the accused)

FIR Number: (Mention the FIR number)

Under Section: (Mention the sections under which the FIR has been filed)

Police Station: (Mention the name of the Police Station)

Accused under custody since (Give the date from when the accused is in custody)

**APPLICATION U/S 439 CRPC FOR GRANT OF BAIL ON BEHALF OF THE ACCUSED (name of the applicant of the bail)**

MOST RESPECTFULLY SUBMITTED AS UNDER:

1. That the present FIR has been registered on false and bogus facts. The facts stated in the FIR are fabricated, concocted and without any basis.

2. That the police has falsely implicated the applicant in the present case, and arrested him although the applicant is a respectable citizen of the society and is not involved any criminal case.

3. That the facts stated in the complainant against the applicant are civil disputes and does not constitute any criminal offence at all.

4. That the applicant is not required in any kind of investigation nor any kind of custodial interrogation is required.

5. That the applicant is having very good antecedents, he belongs to good family and there is no criminal case pending against them.

6. That the applicant is a permanent resident and there are no chances of his absconding from the course of justice.

7. That the applicant undertakes to present himself before the police/court as and when directed.

8. That the applicant undertakes that he will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

9. That the applicant further undertakes not to tamper with the evidence or the witnesses in any manner.

10. That the applicant shall not leave India without the previous permission of the Court.

11. That the applicant is ready and willing to accept any other conditions as may be imposed by the Court or the police in connection with the case.

12. That the Court below has failed to consider all the facts and circumstances of the case and has wrongly dismissed the bail application.
It is therefore prayed that the court may direct the release the applicant on bail in the interest of justice.

Any other order which the court may deem fit and proper in the facts and circumstances of the case may be also passed in favor of the applicant.

**APPLICANT**

THROUGH
COUNSEL

**IMPORTANT POINTS FOR FILING OF BAIL FORMAT INDIA UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE:**

The bail format India under Section 439 of the Code of Criminal Procedure can be signed by any close relative or Parokar of the accused.

An affidavit in support of the bail format India is also to be filed alongwith the main application.

A readable copy of the FIR is also to be filed alongwith the bail format India.

All relevant documents are also to be filed alongwith the bail format India on the basis of which the applicant is seeking bail from the court.

The bail format India is also to be signed by the Counsel who is filing the bail format India either through his memo of appearance or power of attorney.

The details of the FIR, name of the accused, fathers name of the accused should be properly mentioned in the bail format India so that the said contents are properly mentioned in the release order and the Jail authorities are able to identify the accused properly.

# Bail application format to file before High Court under Section 439 CRPC download. How to prepare bail application under CRPC 439 before the High Court. What are the documents to be attached

## Section 439 of Code of Criminal Procedure , 1973 contemplates that the Sessions Court or the High Court can grant bail to a person who has been arrested

### BAIL FORMAT INDIA TO BE FILED BEFORE THE HIGH COURT IN THE EVENT OF THE APPLICATION FOR BAIL BEING DISMISSED BY THE SESSIONS COURT

BEFORE THE HIGH COURT AT (give the name of the High Court where the bail application format India is being filed)

**IN THE MATTER OF**

STATE
VS
(Mention the name of the accused)

FIR Number: (Mention the FIR number)

Under Section: (Mention the sections under which the FIR has been filed)

Police Station: (Mention the name of the Police Station)

Accused in custody since: (Give the date since when the accused is in custody)

**APPLICATION U/S 439 CRPC FOR GRANT OF ANTICIPATORY BAIL ON BEHALF OF THE ACCUSED (name of the applicant of the bail)**

**MOST RESPECTFULLY SUBMITTED AS UNDER:**
1. That the present FIR has been registered on false and bogus facts. The facts stated in the FIR are fabricated, concocted and without any basis.

2. That the police has falsely implicated the applicant in the present case, and has arrested him. The applicant is a respectable citizen of the society and is not involved any criminal case.

3. That the facts stated in the complainant against the applicant are civil disputes and does not constitute any criminal offence at all.

4. That the applicant is not required in any kind of investigation nor any kind of custodial interrogation is required.

5. That the applicant is having very good antecedents, he belongs to good family and there is no criminal case pending against them.

6. That the applicant is a permanent resident and there are no chances of his absconding from the course of justice.

7. That the applicant undertakes to present himself before the police/court as and when directed.

8. That the applicant undertakes that he will not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

9. That the applicant further undertakes not to tamper with the evidence or the witnesses in any manner.

10. That the applicant shall not leave India without the previous permission of the Court.

11. That the applicant is ready and willing to accept any other conditions as may be imposed by the Court or the police in connection with the case.

12. That the Court below has failed to consider all the facts and circumstances of the case and has wrongly dismissed the bail application.
It is therefore prayed that the court may direct the release the applicant on bail in the interest of justice.

Any other order which the court may deem fit and proper in the facts and circumstances of the case may be also passed in favor of the applicant.

**APPLICANT**

THROUGH

COUNSEL

**IMPORTANT POINTS FOR FILING OF BAIL FORMAT INDIA UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE:**

The bail format India under Section 439 of the Code of Criminal Procedure can be signed by any close relative or Parokar of the accused.

An affidavit in support of the bail format India is also to be filed alongwith the main application.

A readable copy of the FIR is also to be filed alongwith the bail format India.

All relevant documents are also to be filed alongwith the bail format India on the basis of which the applicant is seeking bail from the court.

The bail format India is also to be signed by the Counsel who is filing the bail format India either through his memo of appearance or power of attorney.

The details of the FIR, name of the accused, fathers name of the accused should be properly mentioned in the bail format India so that the said contents are properly mentioned in the release order and the Jail authorities are able to identify the accused properly.