**Bail Before High Court Under Section 439, Crpc**

In the High Court at Shimla

(Criminal Miscellaneous Jurisdiction)

An application for bail under section 439, Cr PC

In the matter of:

AB..................           Petitioner

(Under Judicial Custody)

 versus

The State of Himachal Pradesh............Respondent

The Hon’ble Chief Justice and his companion Justices of the said Hon'ble Court

The humble petition of AB the petitioner above-named

Respectfully showeth:

1. The petitioner being a respectable person doing his own business. He is an income-tax payer.

2. Shri CD being factual complainant and for harassing and humiliate the petitioner has lodged a false case against the petitioner because of trade enmity and got him arrested by police.

3. The evidence collected per investigation against the petitioner is very small.

4. On bail application before the Sub-divisional Judicial Magistrate ......... on 2nd July 2003 but his bail was denied.

5. That the petitioner then applied for bail before Sessions Judge, …..in Criminal Misc. Case No. ...... of...... on .................. but the Sessions Judge too denied bail.

6. The petitioner is in custody over a month and the police have interrogated him during police custody and his more custodial detention is not compulsory for investigation of the case.

7. That the petitioner permanently reside at................... and doing business and will not  abscond.

8. The petitioner undertakes to obey the terms/conditions as imposed upon him by Hon'ble High Court and shall attend Court of Learned Magistrate as and when needed.

9. That petition being bonafide and made per interest of justice.

The petitioner humbly prays Your Lordships may be kindly pleased to instruct the release of the petitioner on bail or pass such other order as Your Lordships may considered proper and fit.

And your petitioner as in duty bound shall ever pray.

Advocate of AB

Signature of AB

**Verification**

I, AB, son of XY, by occupation business, resident of..................... at preset in Bharari Jail custody 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 9 of the foregoing petition are true to my best knowledge and belief.

3. I sign this verification on .........................

Solemnly affirmed by the said AB on ........................ at the Court

Commissioner

Deponent