**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 Himachal Pradesh

Versus

Accused AB ..................... Son of XY,

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

Respectfully showeth:

1. That petitioner was convicted by the Sub-Divisional Judicial Magistrate of …..under s. 379, IPC on 5th June 2003 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 28th February 2000 for Rs. 300 and fact was proved by at lest six 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, AB, son of XY, 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 6th June 2003 at Shimla.

Solemnly affirmed by the said AB on this 6th June 2003 at Shimla.

Before me Notary/Magistrate

Deponent