**In The Court Of Learned Sessions Judge Shimla**

In Re:

                                        Petitioner

                                       Versus

                                       Respondents

Application under Section 439 Cr. P.C. 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/FIR No. \_\_\_\_\_ dated \_\_\_\_\_ under Sections \_\_\_\_\_ of IPC with the SHO PS: \_\_. 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 has nothing to do with the alleged offences. 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 by the \_\_\_\_\_ due to \_\_\_\_.  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 legal provisions and process of law by the complainant.

6. That the applicant is willing to furnish surety and bail bonds to the satisfaction of this Hon'ble 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 and the investigations are over.  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 when ever 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 kindly be issued to the police to get the applicant/accused medically examined 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.

Shimla                                                                                                  Applicant

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

Note:-

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.

Shimla                                                                                                  Applicant

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

**IN THE COURT OF LEARNED SESSIONS JUDGE SHIMLA**

                                                     Applicant

                                       Versus

                                                   Respondent

 Affidavit in support of the application under Section 439 of Cr. P.C.

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

 1. That the accompanying application under section 439 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 Shimla on \_\_\_\_\_\_.

Deponent