**Application for Bail before High Court under section 439, Cr PC**

In the High Court at Mumbai

(Criminal Miscellaneous Jurisdiction)

In the matter of:

An application for bail under section 439, Cr PC

And

In the matter of:

AB ………………  *Petitioner*

(in Jail Custody)

*versus*

The State of West Bengal …………

 *Respondent*

To

The Hon’ble Mr. …………………… Chief Justice and his companion Justices of the said Hon’ble Court

The humble petition of AB the petitioner above-named

MOST RESPECTFULLY SHEWETH:

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

2………….Shri CM being the *de facto* complainant in order to harass and humiliate the petitioner has engineered a false case against the petitioner because of business rivalry and got him arrested by the police.

3……..The evidence collected during investigation so far against the petitioner is very meagre.

4………The petitioner applied for bail before the Sub-divisional Judicial Magistrate ……… on 2nd May 2010 but his bail was refused.

5……….That the petitioner then applied for bail before the Sessions Judge, Alipore in Criminal Misc. Case No. …… of …… on ……………… but the Sessions Judge has also refused bail.

6……….The petitioner is in custody over a month and the police duly interrogated him during the police custody and his further detention in custody is not necessary for the purpose of investigation of the case.

7……..That the petitioner has his permanent residence at ………………, and carries on business and he has no chance of absconding.

8…………The petitioner undertakes to abide by the terms and conditions that may be imposed upon him by the Hon’ble High Court and shall attend the Court of the Learned Magistrate as and when required.

9…………That the petition is *bona fide* and made in the interest of justice.

In the circumstances the petitioner humbly prays Your Lordships may be graciously pleased to direct the release of the petitioner on bail or pass such other order as Your Lordships may deem fit and proper.

And your petitioner as in duty bound shall ever pray.

Advocate of AB Sd. AB

*Verification*

I, AB, son of MN, by occupation business, resident of ………………… at preset in Alipore 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 knowledge and belief.

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

Solemnly affirmed by the said AB on…………………… at the Court House in

Before me

Commissioner