**Petition for Bail under section 439, Cr PC before Sessions Judge**

In the Court of the Sessions Judge at Alipore

Case No. 10 of 2009 pending in the Court of

the Sub-divisional Magistrate of Alipore

The State ………………

*versus*

Accused AB son of GH, Village: ………… Thana: ……………

In the matter of an application of AB the accused for bail

The humble petition of AB the accused above-named

MOST RESPECTFULLY SHEWETH:

1. That it was alleged that there was a burglary in the house of ZEE on the night of 3rd May 2010 and your petitioner was arrested by the police some two weeks afterwards on 18th May 2010 at his house. The charge-sheet was submitted on 16th June 2010. Your petitioner’s prayer for bail was rejected by Mr. JM, Sub-divisional Judicial Magistrate at ………… on 10th July 2010. Being aggrieved by the order of the Learned Magistrate refusing to grant bail to your petitioner, he begs to move your Honour for bail on the following amongst other grounds.

*Grounds*

a) That the name of your petitioner does not appear in the First Information Report.

b) That no incriminating article was found in the house of your petitioner on a search by the police, and that he was arrested on mere suspicion and that your petitioner is perfectly innocent of the charge.

c) That no inmate of the house of ZEE identified your petitioner in the identification parade held inside the Alipore Jail by Mr. M, a Second Class Magistrate.

d) That the accused has a Ration Shop at …………………… and that he resides there with his wife and children.

2. Your petitioner states that there is no possibility of your petitioner escaping or absconding during trial or otherwise.

3. Your petitioner has a good defence and the prosecution case is based on false allegations.

4. That your petitioner is willing to furnish proper security for appearance in the court to take his trial.

5. In view of the aforesaid your petitioner states that the bail be granted to your petitioner as prayed for herein in the interest of justice.

Your petitioner therefore prays that Your Honour may be pleased to call for the records and issue notice to the Public Prosecutor and on hearing the parties be graciously pleased to pass an order directing release of your petitioner on bail.

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

Dated ………………… Signature

Advocate

*Verification*

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

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

The statements in paragraphs 1 to 5 in the above petition are true to my knowledge and belief.

I sign this verification on this 4th day of August 2010 at the Court House at Alipore.

Solemnly affirmed by the said AB

on this 4th August 2010 at the

Court House at ………. AB

Before me

Notary/Magistrate.