**Application under Section 109 & 123 of CrPC**

IN THE COURT OF THE LD. SDM (U) EXERCISING THE POWERS OF

EXECUTIVE MAGISTRATE AT ………………

Application No.:\_\_\_\_\_\_ of …………

1.

2

Applicant/Suspect

Versus

Respondents

Application under Section 109 & 123 of CrPC for releasing on bail the applicant/suspect on furnishing sureties/securities to the satisfaction of this Ld. court.
Respectfully Sheweth:-

1. That the applicants/suspects have been kept in police custody since \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by the SHO of Police Station: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the suspicion of likely to commit a cognizable offence under Sections of IPC.

2. That the applicants submit that they are innocent and have neither any intention of committing any such offence nor have ever committed any such offence. The applicants have been falsely implicated in the said case by some person with vested interest to harass the applicant.

3. That by keeping the applicants/suspects under custody and arrested the applicants have been deprived of their valuable fundamental right of liberty by abuse of legal provisions and process of law by the complainant.

4. That the applicants are willing to furnish surety and bail bonds to the satisfaction of this Ld. Court in case they are ordered to be released on bail. The applicants are also willing to join the investigations and bind himself by the terms and conditions laid down by the law or by this Ld. 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/suspect undertakes to be present as and when required in accordance with the law.

5. 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 applicants 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 applicants;

(c) 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.

.…………… Applicant

\_\_\_\_\_\_ Through, Advocates

Note:-

This application is filed through the next friend of the applicants/suspect as the applicants are in police custody. It is, therefore, prayed that the application of the applicant/suspect may kindly be allowed and the applicant/suspect may kindly be released on interim bail in the interest of Justice.

…………………………. Applicant

\_\_\_\_\_ Through counsels

**IN THE COURT OF LD SDM (U) EXERCISING POWERS OF EXECUTIVE MAGISTRATE AT ………………………….**

 ………………………….. Applicant

Versus

…………….. ………... Respondent

Affidavit in support of the application

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

1. That the accompanying application 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 …………….. on \_\_\_\_\_\_.

**FORM NO. 13**

Bond for Good Behaviour

(See sections 108, 109 and 110)

WHERES I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .(name, inhabitant of (place) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ have been called upon to enter, into a bond to be of good behaviour to Government and all the citizens of India for the term of \_\_\_\_\_\_\_.(state the period) or until the completion of the inquiry in the matter of \_\_ pending in the court of \_\_\_\_\_\_\_ . I hereby bind myself to be of good behaviour to Government and all the citizens of India during the said term or until the completion of' the said inquiry; and, in case of my making default therein, I hereby, myself to forfeit to Government the sum of rupees \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Dated, this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_

(Seal of the court)

(Signature)

(Where a bond with sureties to be executed, add \_\_.)

We do hereby declare ourselves sureties for the above-named \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. that he will be of good behaviour to Government and all the citizens of India during the said term or until tile completion of the said enquiry; and, in case of his making default therein, we bind ourselves, jointly and severally, to forfeit to Government the sum of rupees .

Dated, this \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Seal of the court) (Signature)