**Anticipatory Bail Application**

IN THE COURT OF SESSIONS FOR GREATER BOMBAY CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. \_\_\_\_\_\_\_ OF 2001

ABC S/o PQR

Indian inhabitant

residing at \_\_\_\_\_\_\_\_\_\_\_ ........ Petitioner

V/s

1.     State of Maharashtra at the instance of The Inspector of Police In-charge of \_\_\_\_\_\_\_\_Police Station ........ Respondent

CRIMINAL ANTICIPATORY BAIL APPLICATION UNDER SECTION 438 OF THE CRIMINAL PROCEDURE CODE, 1973.

To

THE HON’BLE PRINCIPAL JUDGE AND HIS COMPANION JUDGES OF THIS HON’BLE COURT.THE HUMBLE PETITION OF THE PETITIONER ABOVENAMED:MOST RESPECTFULLY SHEWETH:

1.     The petitioner is a citizen of India. The petitioner is about \_\_\_years old and is unmarried. The petitioner is a permanent resident of Mumbai, residing at the address as mentioned in the cause title since birth. The petitioner is the son of \_\_\_\_\_\_\_\_\_\_\_\_, who is the co-owner of the aforesaid premises. The petitioner’s father shares the said premises amongst others with one of the petitioner’s uncle named LMN. The petitioner’s father and the said LMN are also partners in a firm called M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_ situated at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2.     The petitioner’s father and the said LMN are involved in various civil disputes relating to the said partnership firm, the residential premises and other commonly held properties. There are many cases and proceedings pending in different courts in Mumbai relating to the same. The said LMN has also time and again dragged the petitioner’s father and his family to the Criminal courts and/or police station. However on each of the occasions the said LMN has met with no success but continues to harass the petitioner, his parents and other family members by lodging false, frivolous and mischievous complaints one after the other.

3.     The petitioner understands that the said LMN has filed a complaint on or around \_\_\_\_\_\_\_\_\_ in the \_\_\_\_\_\_\_\_\_\_\_\_ under Sections \_\_\_\_\_\_\_\_\_\_\_\_\_ of the Indian Penal Code against the petitioner’s father and six of his family members including the petitioner and two female and one male staff working for the petitioner’s father at the aforesaid premises. The petitioner says and submits that the said complaint has been filed by the said LMN as a continuation of the process of harassment and vendetta against the petitioner’s father and with a view to coerce and threaten the petitioner into submission in relation to the civil disputes pending between the petitioner and the said LMN. The petitioner states that on the said date of \_\_\_\_\_\_\_\_\_\_, the said LMN had stolen the petitioner’s mobile phone and the petitioner had lodged an N.C. complaint (being complaint No.\_\_\_\_\_\_\_\_\_ of 2001) at the \_\_\_\_\_\_\_\_\_ police station. The complaint by LMN is merely a counter blast.

4.     The petitioner apprehends that on the basis of the allegations contained in the said counter complaint of LMN the police authorities are likely to arrest / detain him. The petitioner is a respectable citizen of India and is well known in the locality where he stays. The petitioner is an educated youth being \_\_\_\_\_\_\_\_\_ (mention the educational qualifications). The petitioner is an Income-tax assessee. The petitioner has acquired his reputation which would be tarnished if he is arrested and/or detained. The petitioner has done nothing to warrant that his reputation to be harmed at the behest of his disgruntled uncle, i.e. said Mr. LMN.

5.     The petitioner says that the nature of disputes between his father and his uncle are civil and the courts are fully seized of the same and as a law abiding citizen of the country the petitioner shall abide by the verdict of the Honorable courts.

6.     The petitioner says and submits that there is no allegation against him requiring custodial interrogation and therefore prays that in the event of the petitioner’s arrest by the \_\_\_\_\_\_\_\_\_\_\_\_\_Police Station on the basis of the aforesaid allegations made by LMN, this Honorable court be pleased to release him on Bail on such terms and conditions and on such amount as this Honorable court may deem fit and proper. The petitioner undertakes to extend his fullest co-operation to the police and report at the police station as and when required for any investigation. The petitioner has his roots in Mumbai and is living in Mumbai since his birth. The petitioner’s father is the co-owner of immovable property \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (describe the immovable property and give its address in detail). The petitioner, his brother and his parents are all residing together at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Give residential address in full). There is no apprehension of the petitioner absconding. There is no threat of the petitioner tampering with the evidence in any manner whatsoever.

The petitioner therefore prays:

a.     that in the event of the arrest of the petitioner by the \_\_\_\_\_\_\_\_\_\_ Police station on charges arising out of the complaint made by LMN, the Inspector of Police be directed to release the petitioner on bail of such amount and on such terms and conditions as this Honorable court may deem fit and proper;

b.    for such other and further reliefs as may be deemed fit and proper in the facts and circumstances of the case.

Mumbai dated this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_, 2001.

Petition drawn by: Petitioner

Advocate for the Petitioner

**VERIFICATION**

      I.        ABC S/o PQR, the petitioner above-mentioned, do solemnly affirm that what is stated in this petition save and except legal submissions is true to my personal knowledge.

Solemnly affirmed at Mumbai on) this \_\_\_\_\_\_ day of November, 2001)

Petitioner

Before me

Advocate for the petitioner.