Anticipatory Bail

**IN THE COURT OF THE HON’BLE SESSIONS JUDGE AT [CITY]**  
(OR: IN THE HIGH COURT OF [STATE], if filing directly in the High Court)

**Criminal Misc. Application No. \_\_\_ of 20\_\_**

**IN THE MATTER OF:**

**[Your Full Name]**,  
Son/Daughter of [Parent’s Name],  
Aged about \_\_ years,  
Residing at [Full Address]  
… *Applicant/Accused*

**VERSUS**

**The State of [State Name]**  
Through [Name of Police Station / Prosecuting Authority]  
… *Respondent*

**APPLICATION UNDER SECTION 438 OF THE CODE OF CRIMINAL PROCEDURE, 1973 FOR GRANT OF ANTICIPATORY BAIL**

The Applicant respectfully submits as follows:

**1. That the Applicant apprehends arrest in connection with FIR No. \_\_\_\_ dated \_\_\_\_, registered at [Name of Police Station] under Sections [mention IPC or other relevant sections].**

**2. That the Applicant has not committed any offence as alleged and has been falsely implicated due to [state reason — e.g., personal enmity, political rivalry, misunderstanding, etc.].**

**3. That the Applicant is a respectable citizen and has no previous criminal record.**

**4. That the Applicant is ready and willing to co-operate fully with the investigation and undertakes to be available as and when required by the Investigating Officer.**

**5. That the Applicant undertakes not to tamper with evidence, not to influence any witnesses, and not to leave the jurisdiction of this Hon’ble Court without prior permission.**

**6. That no custodial interrogation is necessary and the arrest of the Applicant will cause irreparable harm to reputation, liberty, and livelihood.**

**7. That the Applicant is willing to abide by any terms and conditions imposed by this Hon’ble Court while granting bail.**

**8. That this application is made bona fide and in the interest of justice.**

**PRAYER**

In view of the foregoing, the Applicant respectfully prays that this Hon’ble Court may be pleased to:

a) Grant anticipatory bail to the Applicant in FIR No. \_\_\_\_ dated \_\_\_\_, registered under Sections \_\_\_\_\_\_ IPC, and direct that in the event of arrest, the Applicant shall be released on bail;

b) Pass any other or further order(s) as may be deemed fit and proper in the facts and circumstances of the case.

**Place:** [City]  
**Date:** [DD/MM/YYYY]

Filed by:  
[Signature of Advocate]  
*Advocate for the Applicant*  
(Name)

**VERIFICATION**

I, [Applicant’s Full Name], the Applicant above named, do hereby verify that the contents of paragraphs 1 to 8 of this application are true and correct to my knowledge and belief and nothing material has been concealed.

Verified at [City] on this the \_\_ day of [Month], 20\_\_.

**[Signature of the Applicant]**  
(Applicant)

**📝 STUDENT NOTES:**

🔸 **What is Anticipatory Bail?**  
A pre-arrest bail granted to someone who **fears arrest** in a **non-bailable offence**, under **Section 438 CrPC**.

🔸 **When to file?**  
If an FIR is likely to be filed **or already filed** and the person fears wrongful arrest.

🔸 **Which court?**

* **Sessions Court**
* **High Court**  
  (You can file in either, depending on case sensitivity and urgency.)

🔸 **Key conditions usually imposed:**

* Cooperate with investigation
* Do not threaten/intimidate witnesses
* Do not leave city/state without permission
* Be present for questioning when called

🔸 **Common grounds:**

* False implication
* No prior criminal record
* Civil dispute turned criminal
* Political or personal vendetta

🔸 **Pro Tip for Law Students:**

* Know the difference between **Anticipatory Bail (Sec 438)** and **Regular Bail (Sec 439)**
* Anticipatory Bail is like **insurance before arrest**
* Regular Bail is after a person has already been arrested