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~~Rules of Court~~

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BAIL as a MATTER  
OF RIGHT vs.



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DISCRETION |  
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LAWLECTURE ON  
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2) Criminal Bail  
Application

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BAIL(?????? ) ,  
ANTICIPATORY  
BAIL, CRIMINAL  
PROCEDURE CODE--  
SECTIONS 436 , 436  
A , 437 , 438 , 439 , 16

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**under Criminal**

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**1973 BAIL,** under

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~~Provision in~~

~~Hindi II Chapter~~

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~~of bail in~~

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Code of Criminal

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in 3 days Law of

~~Default Bail |~~

~~Right of Bail |~~

~~Bail without~~

~~merit | CRPC~~

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~~section 167(2) |~~

~~Bail Under CRPC~~

*Criminal*

*Procedure L1*

*From Bail*

*And*  
Criminal court  
procedure When  
someone is

accused of a  
crime, they may  
be sent a notice  
(called a

'summons' or a  
'requisition')

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Procedure tells them  
to go to court  
on the date in  
the notice, or  
tells...

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second semester  
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*Criminal  
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*From Bail to  
Jail (Examples*

*Jail Examples*

You can be released on bail

at the police station after you've been

charged. This

means you will

be able to go

home until your

court hearing.

If you are given

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bail, you might  
have to agree  
to...

Jail Examples

*Being charged*

*with a crime:*

*Bail - GOV.UK*

Sep 03, 2020

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procedure 11

from bail to

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2015/1490, with

the amendments

made by S.I.

2016/120,

2016/705,

2017/144,

2017/282,

2017/755,

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2017/915,  
2018/132,  
2018/847,  
2019/143,  
2019/1119 and  
2020/32;  
and include the  
further  
amendments  
listed beneath.

*The Criminal  
Procedure Rules  
2020 - Legislati  
Page 24/104*



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A LAW to make  
provision for,  
or in connection  
with the  
granting of bail  
by a court in  
criminal

proceedings; to  
amend the Police  
Procedures and  
Criminal  
Evidence

(Jersey) Law

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Procedure in relation  
to police bail  
and detention;  
and for  
connected  
purposes.

Adopted by the  
States 19th July  
2017.

*CRIMINAL*

*PROCEDURE (BAIL)*

*(JERSEY) LAW*

*2017*

*Page 26/104*

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Procedure Rules  
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Procedure Rules  
Part 19 as in  
force on 7  
October 2013 (5)

At any hearing  
at which the  
court makes one  
of the following  
decisions, the  
court must  
announce in  
terms the  
defendant can...

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*THE CRIMINAL  
PROCEDURE RULES  
PART 19*

(2) Rules 14.20,  
14.21 and 14.22  
apply where a  
magistrates'  
court can  
authorise an  
extension of the  
period for which  
a defendant is  
released on bail

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Procedure LI  
before being  
charged with an  
offence. (3)

In...

And

*PART 14 -*

*Justice*

Police bail -

Application is  
done at the  
police station  
within 48 hours  
of being  
arrested and

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Procedure LI  
prior to the  
first court  
appearance. Only  
applicable for  
minor offense  
criminals, e.g  
theft below  
R2500,  
possession of  
particular drugs  
below certain  
grams, and  
common assault.

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*Bail application  
in South Africa  
- Everything you  
need to know*

by Nico

Raubenheimer |  
Published 24th  
Apr 2020 -

Updated 24th Apr

2020. Bail

Application -

Founding

Affidavit -

Section 60 (11)

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Procedure Act.

Section 60 (11)

states that

where an accused

is charged with

an offence

referred to-

(a) in Schedule

6, the court

shall order that

the accused be

detained in

custody until he



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or she is dealt  
with in  
accordance with  
the law, unless  
the accused,  
having been  
given a  
reasonable  
opportunity to  
do so, adduces  
evidence which  
satisfies the  
...

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Procedure LL  
Bail Application  
- Founding  
Affidavit -  
Section 60(11)  
And

Until the Crown  
Court makes its  
first bail  
decision in the  
case, a  
magistrates'  
court may vary a  
condition which  
it imposed on

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Procedure Or

sending a

defendant for

Crown Court

trial. (b)

under...

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*From Bail To*

*Jail ...*

1. Looking into  
the

considerations  
enshrined in the  
statutory

provisions for  
rejection of

bail. 2. Bail in  
offences related  
to marriage. 3.

Violation of

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*Why Bail  
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Section 7 Of  
Muslim ...*

The court said  
that no case  
made out based  
on facts of the

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Procedure LI  
section 439 of  
criminal  
procedure code  
under

extraordinary  
jurisdiction.

The court also  
refused to grant  
bail to co-  
accused ...

*Bombay HC*

*rejects Arnab*

*Page 40/104*



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*Goswami's bail  
plea in abetment  
of ...*

The HC in a 56  
page order said  
"in our opinion,  
the petitioner  
has an alternate  
and efficacious  
remedy under  
section 439 of  
the Code of  
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such as

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tensions between  
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rely-encountered  
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zation-tracking  
the typical

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its relevant  
Stages since,  
Ignorance of  
above  
circumstances  
can cause

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Miscarriage of  
Justice. It is  
not the purpose  
of the Criminal  
Law to confine a  
person accused  
of an alleged  
offence before  
his conviction  
instead off it  
is intended to  
combine the  
administration  
of justice with



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the liberty and  
convenience of  
the person  
accused. To free  
on conditions of  
Bail rather to  
confine in Jail  
is a

jurisprudential  
jurisdiction  
which has been  
evolved in view  
of the fact that  
Administration

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Procedure on

the spot or  
immediately just  
after the

commission of

the alleged  
offence in

accordance with

the rudimentary

principles of an

advanced Legal

System is not

feasible. The

question,

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Procedure LI  
whether the  
alleged accused  
should be kept  
in prison or  
should be kept  
free till  
pending of  
trial,

therefore,  
through such  
Application of  
Bail before the  
Court calls for  
assistance of

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Magistrates and  
Judges for  
consideration on  
merit in view of  
impending and  
prevailing  
circumstances  
protecting the  
Fundamental and  
Constitutional  
Rights of the  
individual  
accused of and  
uphold belief

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Procedure in the

Society where

Courts also act

as ultimate

Guardian of

their

Fundamental and

Constitutional

Rights. It is an

inability of

existing

judicial

machinery to try

accused

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Procedure LI.  
expeditiously.

“Therefore, accused cannot be detained in Judicial Custody for a long time by refusal to grant Bail” Bail is Rule of Law not the Jail. Bail is allowed to prevent the punishment of innocent

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persons, and to enable an accused person to prepare his defence to the charge against him. "The principle underlying release on Bail is that an accused person is presumed in law to be

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innocent till  
his guilt is  
proved and such  
presumably  
innocent person,  
he is entitled  
to freedom and  
every  
opportunity to  
look after his  
case, provided  
his attendance  
is secured by  
proper



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Examines the  
causes for mass  
incarceration of  
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