CONTENTS

Foreword		•••	ν
Preface		•••	vi
Acknowledgements		•••	vii
Table of Cases		•••	xix
	PART ONE		
	CONCEPTUAL BASE		
Chapter 1	THE BAIL SYSTEM	•••	3
	Historical Genesis Law Commission—41st Report Matrix of the New Law Policy Consideration underlying Bail Anticipatory Bail: Legal Anomaly in Bail Scheme		
Chapter 2	What is Bail? The Concept of Bail (a) A blend of the King's Peace with Magna Carta (b) Custodial Control of the Accused Aberrations in the Bail Concept Judicial Approach to Bail: Effect of 'Liberty'	•••	18
Chapter 3	BAIL MECHANISM: LEGAL & FUNCTIONAL ASPECTS Right to Bail-Administrative Facility under Criminal Justice Functional Aspects of Bail Legal Aspects of Bail Mechanism Classfication of Offences Kinds of Offences Stages of Release Court's View of Bail Operation Criticism of the existing Bail Mechanism		28

PART TWO

POLICE ROLE & RESPONSIBILITY

Chapter 4	THE ROLE OF POLICE	•••	47	
	Introductory Police Power to Arrest Rights of an Arrestee Statutory Checks on Police Power Police Power to Release on Bail Police Role in Democracy			
Chapter 5	POLICE ATTITUDES: AWARENESS AND UNDERSTANDING ON PRE-TRIAL RELE-ASE OF OFFENDERS—AN EMPIRICAL STUDY	•••	52	
	Police Views Analysis of Police Attitudes and Evaluation Unsatisfactory Law on Sureties Manhattan Bail Project—An Alternate Suggestion			
Chapter 6	SAFETY MECHANISM AGAINST POLICE ARREST	•••	62	
	Introductory Departmental Disciplining of Police Officers The Practice Criminal Practice Civil Action Need for Civil Rights' Action			
PART THREE				
Chapter 7	POLICE ARREST: THE INITIAL PHASE	•••	75	
	Police Practice in Detention Meaning of Arrest Custody			
	Sources of Police Power to Arrest Remand: Investigatory Custody Delayed Investigation—Causes & Effects Investigatory Custody: A Requiem on Personal Liberty Law Commission's Indictment			

Chapter 8	SECOND PHASE IN BAIL PROCESS: USE OF DISCRETION	•••	95
	Bail Discretion Precluded in Special Proceedings Dichotomy of Judicial Techniques Cataloguing the Tests Limitation on use of Bail Discretion Bail with Conditions Effect of Discretion on Administration of Justice: Empirical Studies Bail Process in Delhi Courts: Empirical Testing (a) Bail in Bailable Offences (b) Working of Bail System in Non-Bailable cases. Considerations for Exercise of Discretion— Broad Guidelines		
Chapter 9	PRESCRIBING THE FORMS AND MODES OF RELEASE: THIRD PHASE IN BAIL PROCESS	•••	122
	I. Forms and Modes of Release Under the Code.		
	A. Bail B. Security C. Bond D. Surety E. Miscellaneous		
	II. Streamlining the Forms—An Imperative Need		133
	Need for Community-based Bail Mechanism Judicial Attempt to Streamline Bail Forms Quantum of Bail Professional Sureties	·	
	PART FOUR		
	CONCLUDING REMARKS		
Chapter 10	EVALUTION OF THE LAW OF BAILS		147
	Usage and Practice Legal Confusion and Court Practices Empirical Observation		

Chapter 11	PRE-CONDITIONS OF BAIL REFORM		157
	Proper Functioning of Police Power Devices for Control of Police Power Speedy Trial Legal Aid & Services		
Chapter 12	NEWER APPROACH TO BAIL LAW: AN		
	OUTLINE	• • •	163
	Appendices		168
	Subject Index		
	Errata	•••	xvii