

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57319 of 2019**

Arising Out of PS. Case No.-4912 Year-2018 Thana- PATNA COMPLAINT CASE District-  
Patna

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MOHAMMAD HOOMAYOO @ RAJU Son of Late Md. Abdul Kadir A  
resident of 168/X, Keshav Chandra Street, Fakira Barri, Dhalaiwala Patwar  
Bagam, Near Petrol Pump Raja Bajar, P.S.- Amherst Street, Kolkata, West  
Bengal..... Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Naziya Praveen D/o- Haider Ali and Wife of Md. Humayoo @ Raju  
Resident of Mohalla- Bakhtiyarpur, Purani Bazar, P.S.- Bakhtiyarpur,  
District- Patna, at present address- Mohalla- Alawa Colony, P.S.-  
Phulwarisharif, District- Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      11-09-2019                      Petitioner seeks bail in anticipation of his arrest in  
  
connection with Complaint Case No. 4912 of 2018, in which  
  
cognizance has been taken against the petitioner for the offences  
  
punishable under Sections 498A & 323 of the Indian Penal  
  
Code.

This case is under Section 498A of the I.P.C.  
  
Petitioner happens to be husband of the complainant with an  
  
allegation of demand of Rs. 50,000/- and motorcycle as dowry  
  
and subjecting the complainant to torture.

Submission of the learned counsel for the petitioner  
  
is that as a matter of fact, complainant has solemnized marriage  
  
without getting divorce with her first husband and concealing



her earlier marriage, she married with the petitioner, for which petitioner has filed a complaint case before the Court of Additional Chief Metropolitan Magistrate 2<sup>nd</sup> Court, Kolkata thereafter the present case has been lodged by the complainant.

Heard learned A.P.P. also.

Heard both sides. In view of the above submission of the petitioner, let petitioner, above name in the event of his arrest or surrender before the Court below within two weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned J.M. 1<sup>st</sup> Class at Patna in connection with Complaint Case No.4912 of 2018 , subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned with further condition that he has to cooperate in disposal of the complaint case and appear before the court as and when he required.

**(Vinod Kumar Sinha, J)**

T.Kr./-

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