

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26003 of 2020

Arising Out of PS. Case No.-278 Year-2019 Thana- RAMGARHWA District- East
Champaran

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VICKY SARRAF @ VICKY @ RITIK KUMAR S/o Jitendra Prasad
Resident of Village-Ramgarhwa Near Petrol Pump, P.S.-Ramgarhwa, District-
East Champaran. Petitioner

Versus

1. THE STATE OF BIHAR
2. Kiran Kumari W/o Vicky Sarraf @ Vicky @ Ritik Kumar, D/o Pradeep Sah
Sonar R/village-Ramgarwa, Near Petrol Pump, P.S.-Ramgarhwa, District-
East Champaran. Presently R/o Village-Chhapkahiya Ward No.1, P.S-
Birganj, District-Birganj Nepal.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP
For O. P. No. 2 : Mr. Md. Nafisuzzoha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 15-03-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within three

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned

counsel for the opposite party no. 2 and Mr. Pranav, learned APP

for the State.

The petitioner in the present case is seeking pre-arrest

bail in connection with Ramgarhwa P.S. Case No. 278 of 2019

registered for the offences punishable under Section 498-A of

the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that as per

the prosecution story, the informant got married with this



petitioner and at the time of marriage her father gave gifts to the accused persons according to his capacity and the informant went to her in-laws house. The accused persons demanded Rs. 5,00,000/- as dowry and due to non-fulfillment of said demand, the accused persons committed cruelty and torture on the informant followed with assault.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. Allegation against the petitioner is general and omnibus and during investigation no cogent evidence has been collected by the Police.

Learned A.P.P. for the State and learned counsel representing opposite party no. 2 have opposed the prayer for anticipatory bail of the petitioner.

Learned counsel for the opposite party no. 2 submits that the petitioner has married for the third time with opposite party no. 2 without getting divorce from his two wives. It is submitted that the first two wives have also made similar allegation against the petitioner.

Having regard to the facts and circumstances of the case wherein it seems from the materials placed on the record and the submissions made at the Bar that the petitioner has



married for the third time with the opposite party no. 2 but without any divorce from the first two wives and the first two have also made similar allegations for which cases have been filed against him, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer is, thus, refused.

It is open for the parties to seek mediation before the Mediation Centre attached to the court below for amicable resolution of the disputes.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

