

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**(Criminal Miscellaneous Jurisdiction)**  
**A.B.A. No. 3101 of 2020**

Md. Arshad @ Mohammad Arshad ..... Petitioner  
**Versus**  
1. The State of Jharkhand  
2. Sofia Naaz ..... Opp. Parties

-----  
**CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO**  
**(Through : Video Conferencing)**

-----  
For the Petitioner : Mr. Nishant Kumar Roy, Advocate.  
For the State : Mr. Anup Pawan Topno, A.P.P.

-----  
**02/Dated: 09/09/2020**

Heard, learned counsel for the petitioner, Mr. Nishant Kumar Roy.

Learned counsel for the petitioner has submitted that defect nos. 9 (i) to (iii), as per Stamp Reporting dated 07.07.2020, have not been removed, which he undertakes to remove within 30 days after the physical court starts and prayed for hearing of the anticipatory bail application, as petitioner is apprehending his arrest during pandemic of Covid-19.

Considering the same, this Court is inclined to hear the instant anticipatory bail application on merits, but with condition that petitioner shall remove the defect(s) within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defect(s).

Learned counsel for the petitioner has submitted that the petitioner is apprehending his arrest in connection with Bistupur P.S. Case No. 232/2016 corresponding to G.R. No. 2298/2016 for the offence registered under Sections 498A, 341, 323, 406 I.P.C. and Section 3 / 4 of Dowry Prohibition Act.

Learned counsel for the petitioner has submitted that the marriage was contracted on 17.04.2005 as per Muslim rites and customs and from said wedlock, one daughter namely, Zareen and one son namely, Zeeshan have been blessed.

Learned counsel for the petitioner has submitted that petitioner wants to restore his conjugal life with his wife and for that he is ready to settle the dispute.

Learned counsel for the State, Mr. Anup Pawan Topno, Additional Public Prosecutor has opposed the prayer for bail.

Under the aforesaid circumstances, let notice be issued to the wife opposite party no.2 under both process i.e. under registered cover with A/D as well as under ordinary process, for which requisites etc. must be filed with a period of two weeks.

State counsel is directed to file detail counter affidavit on the basis of materiel collected during investigation.

Opposite party no. 2 is also liberty to file detail counter affidavit.

Put up this case after appearance of opposite party no.2.

In the meantime, no coercive steps shall be taken against the petitioner / not to arrest the petitioner in connection with Bistupur P.S. Case No. 232/2016 corresponding to G.R. No. 2298/2016, pending in the court of C.J.M., Jamshedpur.

**(Kailash Prasad Deo, J.)**

Sunil-Jay/