

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO. _____ OF 2023
(arising out of SLP (CrI.) No. 501 of 2023)

SEEMA KHATOON & ANR. APPELLANT(S)

VERSUS

STATE OF BIHAR RESPONDENT(S)

O R D E R

Leave granted.

Having regard to the facts and circumstances of the case, in particular annexure P-2, which is the Medical Report and the ossification report dated 10.10.2020, we are of the opinion that the appellants, namely, Seema Khatoon and Naziya Khatoon, have made out a case for grant of anticipatory bail.

Accordingly, we accept the present appeal and direct that in the event of the appellants, namely, Seema Khatoon and Naziya Khatoon, being arrested in connection with the P.S. Case No. 652/2020 dated 07.10.2020 registered for the offence(s) punishable under Section 366 (A) read with Section 34 of the Indian Penal Code, 1860¹ and Section 8 of the The Protection of Children from Sexual Offences Act, 2012² at Police Station Bettiah Muffasil, District - West Champaran, Bihar, they shall be released on bail by

1 For short "IPC"

2 For short "POCSO Act"

the arresting/investigating officer/trial court on terms and conditions to be fixed by the trial court. The appellants, namely, Seema Khatoon and Naziya Khatoon shall, in addition, comply with the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973.

Recording the aforesaid, the impugned order is set aside and the appeal is allowed in the above terms.

We clarify that the directions/observations made in this order are for the disposal of the present appeal, and would not be treated as expression of opinion on the merits of the case.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
SEPTEMBER 20, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No. 501/2023

(Arising out of impugned final judgment and order dated 23-11-2022 in CRLM No. 60996/2022 passed by the High Court of Judicature at Patna)

SEEMA KHATOON & ANR.

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No. 6624/2023 - EXEMPTION FROM FILING O.T.)

Date : 20-09-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Jayesh Gaurav, Adv.
Ms. Nandini Rai, Adv.
Ms. Diksha Ojha, Adv.
Mr. Ranjan Nikhil Dharnidhar, AOR

For Respondent(s) Mr. Anshul Narayan, Adv.
Mr. Prem Prakash, AOR

UPON hearing the counsel, the Court made the following
O R D E R

Leave granted.

We accept the present appeal and direct that in the event of the appellants, namely, Seema Khatoon and Naziya Khatoon, being arrested in connection with the P.S. Case No. 652/2020 dated 07.10.2020 registered for the offence(s) punishable under Section 366 (A) read with Section 34 of the Indian Penal Code, 1860 and Section 8 of the The Protection of Children from Sexual Offences Act, 2012 at Police Station Bettiah Muffasil, District - West

Champanan, Bihar, they shall be released on bail by the arresting/investigating officer/trial court on terms and conditions to be fixed by the trial court. The appellants, namely, Seema Khatoon and Naziya Khatoon shall, in addition, comply with the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)