

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.870 OF 2023
(Arising out of SLP(Cr1.) No.1104/2023)**

NISHA KUMARI

Appellant(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

WITH

**CRIMINAL APPEAL NO.875 OF 2023
(Arising out of SLP(Cr1.) No.1295/2023)**

ORDER

Leave granted.

Heard the learned counsel appearing for the parties.

The learned counsel appearing for the respondent on instructions, states that after the interim order was passed by this Court, the appellants in both the matters have appeared before the concerned Officer and have cooperated for investigation. Hence, the interim order dated 06.02.2023 is hereby made absolute subject to the condition that the appellants shall abide by all the conditions incorporated in sub-section (2) of Section 438 of the Code of Criminal

SLP(Cr1.) Nos.1104/2023 & 1295/2023

Procedure 1973.

The appeals are allowed accordingly.

**.J.
[Abhay S. Oka]**

**.J.
[Rajesh Bindal]**

**New Delhi
21.03.2023**

ITEM NO.3

COURT NO.17

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 1104/2023

(Arising out of impugned final judgment and order dated 13-12-2022 in CRMA No. 48086/2022 passed by the High Court Of Judicature At Patna)

NISHA KUMARI

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No. 16170/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No. 16168/2023 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No. 1295/2023 (II-A)

(IA No. 19433/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No. 19432/2023 - EXEMPTION FROM FILING O.T.)

Date:21-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. Ajay Kumar Singh, AOR
Mr. Saketjee, Adv.
Mr. Divesh Kumar, Adv.
Mr. Aman Kumar, Adv.
Mr. Ashish Singh, Adv.
Mr. Parshuram, Adv.
Mr. Vishal Kumar Singh, Adv.
Mr. Anubhav Bhandari, Adv.

For Respondent(s) Mr. Shivam Singh, Adv.
Mr. Manish Kumar, AOR

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

Leave granted.

The appeals are allowed in terms of the signed order.

The relevant portion of the order is as under:

"...the interim order dated 06.02.2023 is hereby made absolute subject to the condition that the appellants shall abide by all the conditions incorporated in sub-section (2) of Section 438 of the Code of Criminal Procedure 1973.."

Pending applications, if any, also stand disposed of.

(INDU MARWAH)

COURT MASTER (SH)

(AVGV RAMU)

COURT MASTER(NSH)

(signed order is placed on the file)