

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64259 of 2018

Arising Out of PS. Case No.-700 Year-2017 Thana- KHAGARIA District- Khagaria

Ashok Sah @ Koko @ Kako, Son of Sri Dineshwar Shah Resident of Ward
No.17 Jamalpur P.S. Gogri Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Jha-Advocate

For the Opposite Party/s : Mr. Akbar Ali-A.P.P.

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Editor, reporter of Koshi Express filed written report disclosing therein that they have received video through mobile no.9430043156, which appears to be detrimental to particular religion. It has further been stated that aforesaid mobile number belongs to one Parshuram.

Petitioner is not named in the F.I.R. From the order impugned, it is evident that petitioner is the person, who had transmitted the aforesaid video to Parshuram as stated by his son (Para-47 of the case diary). However, nothing has been suggested with regard to video, nor the order impugned speaks with regard thereto.

Consequent thereupon, petitioner, **Ashok Sah @**



Koko @ Kako, in the event of arrest or surrender within four weeks, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Chitragupta Nagar) P. S. Case No.700 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C. The order impugned will be guided by an outcome of *Sushila Aggarwal and others vs. State (NCT of Delhi) and another reported in (2018) 7 SCC 731, which has been referred to the Constitutional Bench.*

(Aditya Kumar Trivedi, J)

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