

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.840 of 2016

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Vikash Kumar @ Raja

.... Petitioner/s

Versus

The State of Bihar, Through The Principal Secretary, Home Department,
Bihar, Patna & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Respondent/s : Mr. Sheo Shankar Prasad
Mr. H.S. Sundaram, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 17-09-2016 Heard Mr. Awadhesh Kumar, learned Counsel for the

petitioner, and Mr. Sheo Shankar Prasad, learned Counsel

appearing on behalf of State-respondents.

The petitioner herein is an accused in R.C. Case No. 01(E)-2012, Trial No. 18/15, pending in the Court of learned Special Judicial Magistrate, C.B.I., Muzaffarpur, arising out of New Delhi C.B.I. R.C. Case No. 221/2012 dated 02.01.2012, registered under Sections 120B, and 409 of the Indian Penal Code and under Section 13(1)(c) of the Prevention of Corruption Act, 1988, wherein *charge sheet* has been submitted against the petitioner, vide Charge Sheet No. 05/2013, dated 19.11.2013, under Sections 120B, 420 and 379 of the Indian Penal Code and under Sections 43(a) (i) read with Section 66 of the Information Technology.

During the pendency of the trial, the petitioner was diagnosed to be a patient of HIV positive.

With the grievance that he was not being provided with necessary medical treatment, the petitioner filed this application under Articles 226 and 227 of the Constitution of India. However, according to what has been submitted before this Court, on behalf of the petitioner, now, is that the petitioner is presently being provided with necessary medical treatments for the ailments, which he has been suffering from.

In view of the above, this writ petition is not pressed at this stage, and, therefore, the same is disposed of with liberty given to the petitioner to approach this Court with appropriate application, in future, if situation so warrants.

It is further directed that the Superintendent, Central Jail, Khudiram Bose, Muzaffarpur, shall ensure that the petitioner receives all necessary medical treatments.

(I.A. Ansari,CJ)

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