

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No.1049 of 2024

Mithilesh Kumhar @ Mithilesh Pandit

Appellant

Versus

The State of Jharkhand

Respondent

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant

: Mr. Shailesh Kr. Singh, Advocate

For the State

: Mr. Satish Prasad, A.P.P.

08 /Dated: 11.09.2025

I.A. No.9306 of 2025

1. Leave has been sought for to accept the affidavit in objection filed in terms of order dated 21.08.2025.
2. The copy of the same has been supplied to learned counsel appearing for the appellant.
3. The said affidavit is taken on record.
4. This Court has gone through the affidavit filed on behalf of the State which contains the document at page no.11, a report of the In-charge Medical Officer, Loknayak Jayprakash Narayan Central Jail, Hazaribagh showing the fact that appellant is suffering from HIV/AIDS on 24.01.2024.
5. Learned counsel appearing for the appellant has submitted that he is in custody in pursuance to the judgment of conviction since 23.06.2023.
6. This Court, on consideration of the report, wherein, the appellant has been found to be affected from HIV Virus on 24.01.2024,

hence, wants to ascertain the basic reason that how the inmate has suffered from such infectious diseases, even though, he was in custody, which is not specifically been stated in the affidavit or other document, as appended thereto.

7. The authorities shall state the reason of cause of such suffering.
8. This Court, therefore, is of the view that the Superintendent Jail, Hazaribagh along with In-charge Medical Officer, Loknayak Jayprakash Narayan Central Jail, Hazaribagh, who has given the report or the Doctor who has treated the appellant, as also, the Director, Health, Medical Education and Family Welfare Department, are to appear physically on the next date of hearing.
9. The Jail Superintendent, Hazaribagh is also directed to come out with the report as to whether all the inmates of the Central Jail have got their Pathological test to ascertain with respect to spreading of the said disease.
10. Let this matter be listed on **15th September, 2025 at 2:15 p.m.**
11. Learned Addl. Public Prosecutor is directed to communicate this order forthwith to all the officials for compliance of the Court's order.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

Rohit/-