

Ram Bahadur Rai v. State of Bihar¹

Facts of the Case

Ram Bahadur Rai, a student leader and Secretary of the All India Vidyarthi Parishad, was detained by the District Magistrate, Patna, under Section 3(1)(a)(ii) of the Maintenance of Internal Security Act, 1971 (MISA), on the ground that his activities were prejudicial to the maintenance of public order.

The grounds of detention included allegations that he participated in student meetings, helped form action committees, organised protests such as gheraos, instigated demonstrations, and attempted to mobilise students along the lines of movements seen in Gujarat. One of the key allegations referred to promoting a “Gujarat type of agitation.”

The petitioner challenged the detention before the Patna High Court, which dismissed his petition. He then approached the Supreme Court under Article 32, contending that the grounds were vague, irrelevant, and lacked a rational nexus with public order. He further argued that the vagueness of the grounds prevented him from making an effective representation, thereby violating his right under Article 22(5).

Question of Law

- Whether the grounds of detention were so vague or indefinite as to violate Article 22(5) by denying the detenu an effective opportunity to make a representation;
- Whether participation in student activities, protests, or organisational work can be treated as prejudicial to public order;
- Whether each ground of detention must independently satisfy legal requirements of relevance and clarity;
- Whether a detention order based on multiple grounds can survive if one or more of those grounds are invalid.

Judgement

The Supreme Court allowed the petition and quashed the detention order, directing the petitioner’s immediate release.

¹ 1975 AIR 223

The Court held that the expression “Gujarat type of agitation” was **vague and ambiguous**, as it did not clearly specify the nature of the alleged activities. Such vagueness made it impossible for the detenu to effectively challenge the grounds, thereby violating Article 22(5).

It further held that some of the grounds were **irrelevant**, as mere participation in student organisations, meetings, or peaceful protests does not by itself threaten public order. There must be a clear and proximate nexus between the acts alleged and disturbance of public order, which was lacking in this case.

The Court clarified that where a detention order is based on **multiple independent grounds**, each ground must be valid. If even one ground is vague or irrelevant, the entire detention order is vitiated, since it cannot be assumed that the detaining authority would have passed the order based only on the remaining grounds.

Accordingly, the detention was held unconstitutional for being based on vague and irrelevant grounds and for violating the petitioner’s fundamental right to make an effective representation.