



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1274 OF 2025

Bharat Kaduba Hajare
Age-26 years, Occupation – Labour,
R/o. Aapatgaon,
Tq. & Dist. Chhatrapati Sambhajnagar

... PETITIONER

VERSUS

1. The State of Maharashtra
Through its Additional Chief Secretary,
Home Department,
Mantralaya, Mumbai – 32
2. The District Magistrate
Chhatrapati Sambhajnagar,
Dist. Chhatrapati Sambhajnagar
3. Sub-Divisional Police Officer,
Sub-Division Chhatrapati Sambhajnagar (Rural)
Dist. Chhatrapati Sambhajnagar
4. Police Inspector
Police Station, Chikalthana,
Tq. & Dist. Chhatrapati Sambhajnagar
5. The Superintendent of Jail,
Harsul Central Prison,
Aurangabad

... RESPONDENTS

....
Mr. Shashikant E. Shekade, Advocate for the Petitioner
Mr. S. R. Wakale, APP for Respondent Nos. 1 to 5 – State
....

**CORAM : SANDIPKUMAR C. MORE AND
Y. G. KHOBRAGADE, JJ.**

**RESERVED ON : 17.11.2025
PRONOUNCED ON : 28. 11.2025**

JUDGMENT (PER - Y. G. KHOBRAGADE, J.) :-

1. Heard at length Mr. Shekade, the learned counsel for the Petitioner and the learned APP for the Respondents.
2. Rule. Rule made returnable forthwith and it is heard finally with consent of both the parties.
3. By the present petition, the petitioner is challenging detention order dated 22.07.2025, passed by respondent No.2 under the provisions of the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders, Dangerous Persons, Video Pirates, Sand Smugglers and Persons Engaged in Black Marketing of Essential Commodities Act, 1981 (for short, "M.P. D.A. Act"), directing that the petitioner be detained with a view to prevent him from acting any manner prejudicial to the maintenance of public order. The grounds of detention order dated 22.07.2025 on the basis of which the impugned detention order was issued and the documents relied upon the detaining authority, were supplied to the petitioner/ detenu.

4. The grounds of detention stipulated in the impugned order of detention is based on the offence registered against the petitioner vide Crime No.101 of 2023 for the offence punishable under Section 379 read with Section 34 of I.P.C., registered on 01.02.2023 with Kotwali Police Station, Crime No.453 of 2023, registered on 28.10.2023 with Chikalthana Police Station, for the offence punishable under Section 341 read with Section 34 of I.P. C., Crime No.48 of 2024, registered with Ghargaon Police Station (transferred to Shikrapur Police Station), registered on 16.02.2024, for the offence punishable under Section 394 read with Section 34 of I.P. C., Crime No.143 of 2025, registered on 09.04.2025 with Karmad Police Station, for the offence punishable under Sections 126(2), 310(2), 137(2) of Bharatiya Nyaya Sanhita, 2023, Crime No.210 of 2025, registered with Chikalthana Police Station on 03.05.2025 for the offence punishable under Sections 304(1), 304(2), 309(6) of Bharatiya Nyaya Sanhita, 2023. Besides above crimes, the preventive action also been taken into consideration on the basis of Chapter Case No.479 of 2023 registered with Chikalthana Police Station, under Section 107 of Cr.P.C., as well as final bond furnished by the petitioner on 05.01.2024. Further, the impugned detention order is

also based on camera statements two witnesses 'A' and 'B'. The detaining authority was subjectively satisfied that, the petitioner is acting in a manner prejudicial to the maintenance of public order. So also, on 11.09.2025, respondent No.1 competent authority granted approval for detention of the petitioner for a period of 12 months.

5. The learned counsel appearing for the petitioner canvassed in vehemence that the grounds for detention set out in the order dated 22.07.2025 are pertaining to the offence registered in the year 2024 and subsequent two offences registered on 09.04.2025 and 03.05.2025 with Karmad and Chikalthana Police Stations. However, said offences having no live link with the detention order of the petitioner. It is further canvassed that on 01.02.2023, Crime No.101 of 2023, registered against the present petitioner with Kotwali Police Station, for the offence punishable under Section 379 read with Section 34 of the I.P.C., however, the petitioner is already released on bail. On 28.10.2023, another crime No.453 of 2023, registered against the petitioner with Chikalthana Police Station, for the offence punishable under Section 341 read with Section 34 of I.P.C., and the petitioner is enlarged on bail. Again on 16.02.2024, Crime No.48 of 2024, registered against the petitioner with Ghargaon Police Station

(which has been transferred to Shikrapur Police Station), for the offence punishable under Section 394 read with Section 34 of I.P.C. and the trial of these offences are pending on the file of the learned competent Court. Again on 09.04.2024, crime No.143 of 2025, registered against the petitioner with Karmad Police Station for the offence punishable under Section 126(2), 137(2) of Bharatiya Nyaya Sanhita and Crime No.210 of 2025, registered with Chikalthana Police Station for the offence punishable under Sections 304(1), 304(2), 309(6) of Bharatiya Nyaya Sanhita, 2023. The petitioner enlarged on bail in Crime No.143 of 2025 and trial is pending for the said offence. However, in Crime No.210 of 2025, the investigation is pending and charge-sheet yet to be filed. Therefore, there is no live link with the recent past crime registered against the petitioner. It is further canvassed that, the Police Authorities have registered false and bogus crimes against the petitioner only on ground of suspicion. However, the detaining authority failed to consider that the petitioner's presence in the society would be dangerous to the people. The petitioner has not engaged in any such crimes, which may disturb the public peace and order. It is further submitted that, the statements of the alleged witnesses are not sufficient to justify the detention order. Therefore, action on part of the Respondents

authorities is in violation of the petitioner's fundamental guaranteed under Article 21 of the Constitution of India.

6. The learned counsel appearing for the petitioner further canvassed that the detaining authority allegedly recorded in camera statements of two witnesses on 05.07.2025. However, respondent No.3 Sub-Divisional Police Officer personally failed to verify the said statements. The statements of both the witnesses does not reflect about exact date and both the statements are vague. Therefore, both the statements are not sufficient for issuance of detention order against the petitioner. Therefore, the impugned order passed by respondent No.2 and sanctioned by respondent No.1 authority, detaining the petitioner for the period of 12 months is illegal, bad in law and violative of Article 21 of the Constitution of India.

7. The learned counsel appearing for the petitioner further canvassed that the statements of witnesses A and B are recorded on 05.07.2025 after the petitioner was enlarged on bail in all crimes. Further, while the petitioner was in custody, hence, there were no occasion to the witnesses to come forward to depose against the petitioner. There is no subjective satisfaction as to how and in what manner acts of the petitioner are prejudicial for maintenance of

public peace and order. It is further submitted that, the impugned detention order does not disclose substantial grounds for detention of the petitioner much less disturbance of public peace and order. Therefore, impugned order is illegal bad in law.

8. To buttress these submissions, the learned counsel appearing for the petitioner placed reliance on case laws as follows:-

- (i) *Ameena Begum Vs. State of Telangana and others, (2023) 9 SCC 587;*
- (ii) *Pawan Tukaram Kudale Vs. Commissioner of Police, Pune, 2018 SC OnLine Bombay 1468;*
- (iii) *T. Devaki Vs. Government of Tamilnadu, (1990) 2 SCC 456;*
- (iv) *Ashokrao s/o Uttamrao Pawar Vs. State of Maharashtra and others, Criminal Writ Petition No.738 of 2022: 2023 SCC OnLine Bombay 347;*
- (v) *Vilas Ramchandra Hunnare Vs. District Magistrate, Sindhudurg and others; 2018 SCC OnLine Bom 1023;*
- (vi) *Alakshit Vs. State of Maharashtra, through its Principal Secretary and others, 2022 SCC OnLine Bom 7439;*
- (vii) *Vishal Manik Dambe Vs. The State of Maharashtra and others, Criminal Writ Petition No.1098 of 2025 (High Court of Bombay, Aurangabad Bench).*

9. Per contra, the learned APP submitted that the fact reflected in Crime No.143 of 2025, registered against the petitioner with Karmad Police Station, Chhatrapati Sambhajinagar (Rural), for

the offence punishable under Sections 126(2), 310(2), 137(2) of Bharatiya Nyaya Sanhita, 2023, clearly suggests that the complainant Shri Alam Ayub Sheikh, lodged a report with Karmad Police Station on 09.04.2025, alleging that, on 08.04.2025, at about 6.20 hrs., when he was loading his truck with iron rods, the petitioner with his associates suddenly stopped his car with in front of informant's truck near Raje Sambhaji Sugar Factory. Thereafter, the petitioner and his associates got down the informant forcibly by entering into the informant's truck and assaulted him. The petitioner made the informant sit in his car, took the informant's truck towards the Solapur-Dhule route, and forcibly took away ₹12,000, a mobile phone, and issued a life threat if he raised his voice.

10. The APP further canvassed that, the detenu authority recorded statements of witness 'A' who stated that about knowing the petitioner since last 4 – 5 years as gunda. The petitioner has committed many offences and he is habitual criminal created with terror in the village and due to his terror nobody is ready and willing to lodge complaint against the petitioner. So also, in the first week of May 2025 at about 21.30 hrs., when he was working at his business place at that time the petitioner visited there and on the point of knife

issued life threat by uttering words “ (“वल मल काढ नाही तर तुला आत्ताच खतम कसतो”)” and robbed cash of ₹ 2,200/-. Further, witness ‘B’ in his statement stated that he knows the petitioner since past 3 – 4 years and on the point of knife robbed him. He further stated that, due to terror of the petitioner, nobody is ready and willing to give evidence or complaint against him. Further, in last week of April 2025, when witness ‘B’ was proceeding towards his house and reached at Apatgaon Phata, at that time, the petitioner stopped his vehicle and forcibly removed cash of Rs.4,000/- from his pocket and issued life threat. Not only this but the petitioner had executed a bond on 05.01.2024 in Chapter Case No.479 of 2023 under Section 107 of Cr.P.C. before Chikalthana Police Station but the petitioner again committed grievous nature of crimes on 09.04.2025 and 03.05.2025. Therefore, the detaining authority satisfied on considering all the material available with him and the criminal activities of the petitioner which are prejudicial to the maintenance of public order. Therefore, there is compliance of the mandatory provisions of law, hence, prayed for dismissal of the present petition. In support of these submissions, the learned APP placed reliance on the case of ***Haradhan Saha Vs. The State of West Bengal and others, (1975) 3 SCC 198.***

11. Needless to say that the petitioner challenged his order of detention on the main ground that there is no material to come to the conclusion that the petitioner is indulging in activities prejudicial to the maintenance of public order. On persual of record it reveals that, on 22.07.2025, the respondent No.2 District Magistrate, Aurangabad, passed the impugned detention order and explained the ground of detention considering the following crimes and the offences:-

Sr. No.	Police Station	C.R. No. & Under Section	Date of Registration	Present status
1.	Kotwali	101/2023 u/s 379, 34 IPC	01/02/2023	Pending Trial
2.	Chikalthana	453/2023 u/s 341, 34 IPC	28/10/2023	Pending Trial
3.	Ghargaon (Transfer to Police Station Shikrapur)	48/2024 u/s 394, 34 IPC	16/02/2024	Pending Trial
4.	Karmad	143/2025 u/s 126(2), 310(2), 137(2) Bharatiya Nyaya Sanhita, 2023	09/04/2025	Pending Trial
5.	Chikalthana	210/2025 u/s 304(1), 304(2), 309(6) Bharatiya Nyaya Sanhita, 2023	03/05/2025	Pending Investigation

Sr. No.	Police Station	Chapter Case No. & U/s	Disposal
1.	Chikalthana	479/2023 u/s 107 Cr.PC.	Final bond was taken on 05/01/2024

12. The respondent No.2 submitted proposal for sanction with respondent No.1 authority and explained the grounds for detention of the petitioner. On 11.09.2025, the respondent No.1

passed the order and confirmed the order of detention of the petitioner on the ground set out in the order dated 22.07.2025.

13. In the case of **Ameena Begum** (supra), the Hon'ble Supreme Court held thus:-

“The right of life and personal liberty is placed on such a high pedestal by this Court that it has always insisted that whenever there is any deprivation of life or personal liberty, the authority responsible for such deprivation must satisfy the court that it has acted in accordance with the law. This is an area where the court has been most strict and scrupulous in ensuring observance with the requirements of the law, and even where a requirement of the law is breached in the slightest measure, the court has not hesitated to strike down the order of detention or to direct the release of the detenu even though the detention may have been valid till the breach occurred. The court has always regarded personal liberty as the most precious possession of mankind and refused to tolerate illegal detention, regardless of the social cost involved in the release of a possible renegade.”

14. In the case of **Pawan Tukaram Kudale** (supra), the coordinate Bench of this Court observed in paras 13 and 14 as under:-

“13. In this backdrop, we find substance in the arguments of the learned counsel for the petitioner Advocate Tripathi. Shri Tripathi has placed reliance on the judgment delivered by this Court in case of Shri Hanuman Rajaram Mhatre Vs. Commissioner of Police, Thane¹, which is decided by the same Bench where the order of detention has been quashed and set aside on a similar ground with the following observations :

“Article 22(5) of the Constitution of India has two facets namely, (i) communication of grounds on which detention order has been made and (ii) opportunity of making a representation against the order of detention. Communication of grounds presupposes formulation of grounds and such formulation requires application of mind

of the detaining authority to the facts and material placed before it, that is to say to the relevant and proximate matter in regard to each individual's case. It should comprise all the constituent facts and material that went into making of the mind of a statutory functionary. Thus, when the Authority gives its decision based on his subjective satisfaction, it is expected that he would record his satisfaction based on a bunch of facts and influenced by his personal feelings and opinion. The word "subjective" is defined in Oxford Dictionary to mean dependent on the mind or on an individual's perception for its existence. The subjective satisfaction is the satisfaction of a reasonable man which can be arrived at on the basis of some material, influenced by or based on personal beliefs or feelings rather than on objective facts. It is an entire though process of an authority which goes into forming what is called "subjective satisfaction". It is a state of mind on which the conclusions are reached, based on the material placed before the authority and an extraneous consideration or material would affect the formation of subjective satisfaction".

14. *In light of the aforesaid pronouncement, we are of the considered view that in the present case, the subjective satisfaction reached by the detaining authority is based on the material which cannot be segregated and since the detaining authority in the affidavit has categorically admitted that the entire documents contained in the index have been supplied to the detenu, since it was relied upon by the detaining authority himself while forming the subjective satisfaction. The detaining authority has admitted in the affidavit placed before this court that the narration in the grounds of detention that there are six offences shown in the chart at para 3.1 are mentioned to show that the detenu's continuous activities and copies of FIRs, chargesheet, arrest forms and relevant documents of preventive action are enclosed and supplied to the detenu so as to make effective representation, admits the contention of the petitioner. The detaining authority has admitted that it referred to and relied on certain documents and considered it as the material on which the detaining authority has passed the order of detention. The detaining authority is conscious of the fact and states to the following effect in the affidavit.*

“It is further submitted that the grounds of detention means all the basic facts and material which have taken into consideration by the detaining authority in making the order of detention and purpose of considering the basic facts and material specifically communicated in Para 3.3(b) and 4 of the grounds of detention thus the detaining authority have subjectively satisfied herself and application of mind on part of detaining authority while making the order of detention”.

15. In the case of ***T. Devaki Vs. Government of Tamil Nadu and others*** (supra), the Honble Supreme Court held thus:-

“Any disorderly behaviour of a person in the public or commission of a criminal offence is bound to some extent affect the peace prevailing in the locality and it may also affect law and order but the same need not affect maintenance of public order. There is basic difference between 'law and order' and 'public order'. The question whether a man has only committed a breach of law and order or has acted in a manner likely to cause disturbance of the public order, is a question of degree and the extent of the reach of the act upon the society. A solitary assault on one individual can hardly be said to disturb public peace or place public order in jeopardy so much as to bring the case within the purview of the Act providing for preventive detention. Such a solitary incident can only raise a law and order problem and no more. In the present case there is no material on record to show that the reach and potentiality of the single incident of attempted murderous assault on the Minister was so great as to disturb the even tempo or normal life of the community in the locality or disturb general peace and tranquility or create a sense of alarm and insecurity in the locality. Though in the grounds of detention the detaining authority had stated that by committing this grave offence in public, in broad daylight, the detenu created a sense of alarm, scare and a feeling of insecurity in the minds of the public of the area and thereby acted in a manner prejudicial to the maintenance of public order which affected even tempo of life of the community, but mere repetition of these words in the grounds are not sufficient to inject the requisite degree of quality and potentiality in the incident in question. Thus the solitary incident as alleged in the ground of detention is not relevant for sustaining

the order of detention for the purpose of preventing the petitioner from acting in a manner prejudicial to the maintenance of public order.”

16. In the case of ***Ashokrao s/o Uttamrao Pawar Vs. State of Maharashtra***, the coordinate Bench of this Court in Criminal Writ Petition No.738 of 2022 (Nagpur Bench), held that though the two In-camera statements refer to acts of the Detenu which might amount to extortion, there does not appear to be any detail of the fear psychosis that might have been created by those acts or that the same were committed at a public place.

17. In the case of ***Alakshit Vs. State of Maharashtra and another*** (supra), wherein, in paragraph 13, the coordinate Bench of this Court has observed as under:-

“13. It is well settled law that the grounds on which an accused, and a proposed detenu, is granted bail also form important part of the material available against such a person and therefore, it is the duty of the Detaining Authority to also consider that material. After all, the object of a preventive detention order passed under Section 3(1) of the MPDA Act is to curb criminal activities of the person which are considered prejudicial to the maintenance of public order. Grant of bail is an important factor which goes into making up of the requisite satisfaction of the Authority. When considered appropriately, the grounds of bail do impact the decision of the Authority, one way or the other. We would illustrate the point by giving a few examples. In a given case, a person may be granted bail on a ground, inter alia, that he is not likely to tamper with the prosecution’s evidence or witnesses. This would be a ground which may strengthen the case of that person and it may possibly restrain

the Authority from passing any detention order. In another case, a proposed detenu is granted bail, not on merits of the matter but, upon a default ground under Section 167 of the Code of Criminal Procedure. There may be another case where the person is granted temporary bail for fulfilling some urgent purpose. In both of these examples, the grounds of bail may not perhaps help the proposed detenu and the Authority may possibly find them to be all the more reason for ordering preventive detention of such a person, provided the other criteria is fulfilled. Such is the importance of the grounds of bail and therefore, they are required to be considered by the Detaining Authority while passing the order of detention. This is the law laid down by the Apex Court in the case of Abdul Sathar Ibrahim Manik Vs. Union Of India [1991 AIR 2261], which has been followed by this Court in several of its judgments including the judgment delivered in the case of Ratnamala Mukund Balkhande Vs. State of Maharashtra [2022 All M.R. (Cri) 3106].”

18. In the case of **Vishal Manik Dambe** (supra), decided by the coordinate Bench of this Court on 20.09.2025, it is observed thus:-

*“9. In the present case, though the detaining authority was aware that the petitioner has been released on bail in C.R. No.28 of 25, the bail application, the supportive documents and the bail order dated 11th February 2025 were not placed before or considered by the detaining authority. This omission goes to the very root of the decision-making process. The Hon’ble Supreme Court in **Rekha v. State of Tamil Nadu**, (2011) 5 SCC 244 has consistently held that non-placement and non-consideration of bail order is fatal to a preventive detention order. As the detaining authority is hereby deprived of considering whether the conditions imposed by the bail court adequately prevent the alleged prejudicial activities.*

10. Equally serious is the unexplained delay in passing the detention order. The last alleged incident relied upon is dated 1st February 2025. The detention order was passed on 11th May 2025 i.e. after a gap of more than three months. It is well

*settled that the live and proximate link between the prejudicial activity and the purpose of detention must be maintained and any unexplained delay snaps that link. The Hon'ble Supreme Court in **T. A. Abdul Rehman v. State of Kerala**, (1989) 4 SCC 741, has held that an order of detention suffers from the vice of staleness if there is such unexplained delay. In the case in hand, no satisfactory explanation is forthcoming.*

*11. The detention order itself contains a tabular recital of several past offences and chapter proceedings allegedly showing an ascending trend in the petitioner's criminal activity. In paragraph 11 of the affidavit in reply filed by the detaining authority, it is candidly stated that reference to the past offence is made to depict the petitioner's criminal history. It is elementary that once the detaining authority is influenced by such material, copies of the same must be furnished to the detainee. Failure to supply those documents amounts to violation of article 22(5) as laid down in the case of **Khudiram Das v. State of West Bengali**, (1975) 2 SCC 81. Reliance on extraneous or undisclosed material vitiates the subjective satisfaction."*

19. In the case of **Khaja Bilal Ahmed Vs. State of Telangana and others**, 2019 Mh.L.J. OnLine (Cri) SC 99; (2020) 13 SCC 632, the Hon'ble Supreme Court in para 23 observed that the order of detention may refer to the previous criminal antecedents only if they have a direct nexus or link with the immediate need to detain an individual. If the previous criminal activities of the detenu could indicate his tendency or inclination to act in a manner prejudicial to the maintenance of public order, then it may have a bearing on the subjective satisfaction of the detaining authority. However, in the absence of a clear indication of a causal connection, a mere reference

to the pending criminal cases cannot account for the requirements of Section 3. However, in the present case, the grounds specifically refers to the material on which the detention order is issued and there is indication of casual connection.

20. In the case of *Shital alias Nitin Bhimrao Kharat Vs. District Magistrate, Satara*, 2021 Mh.L.J. Online (Cri) 84, the coordinate Bench of this Court held that the order of detention may refer to the previous criminal antecedents only if they have direct nexus or link with the immediate need to detain an individual. If the previous criminal activities of the detenu could indicate his tendency or inclination to act in a manner prejudicial to the maintenance of public order, then it may have a bearing on the subjective satisfaction of the detaining authority. However, in the absence of a clear indication of a causal connection, a mere reference to the pending criminal cases cannot account for the necessary requirement.

21. In *Phulwari Jagdamba Prasad Pathak (smt) V/s R. H. Mendonca and Others; (2000) 6 SCC 751*, the Hon'ble Supreme Court has sustained detention order, which was passed by relying on in camera statements of the witnesses to arrive at a subjective satisfaction of the detaining authority. The relevant observations of the Supreme Court are as under:

“16. Then comes the crucial question whether 'in-camera' statements of persons/witnesses can be utilised for the purpose of arriving at subjective satisfaction of the detaining authority for passing the order of detention. Our attention has not been drawn to any provision of the Act which expressly or impliedly lays down the type of material which can form the basis of a detention order under Section 3 of the Act. Preventive detention measure is harsh, but it becomes necessary in larger interest of society. It is in the nature of a precautionary measure taken for preservation of public order. The power is to be used with caution and circumspection. For the purpose of exercise of the power it is not necessary to prove to the hilt that the person concerned had committed any of the offences as stated in the Act. It is sufficient if from the material available on record the detaining authority could reasonably feel satisfied about the necessity for detention of the person concerned in order to prevent him from indulging in activities prejudicial to the maintenance of public order. In the absence of any provision specifying the type of material which may or may not be taken into consideration by the detaining authority and keeping in view the purpose the statute is intended to achieve the power vested in the detaining authority should not be unduly restricted. It is neither possible nor advisable to catalogue the types of materials which can form the basis of a detention order under the Act. That will depend on the facts and situation of a case. Presumably, that is why the Parliament did not make any provision in the Act in that regard and left the matter to the discretion of the detaining authority. However, the facts stated in the materials relied upon should be true and should have a reasonable nexus with the purpose for which the order is Passed.

17. From the grounds of detention and the papers enclosed with it copies of which were served on the detainee it is clear that the detaining authority based his subjective satisfaction on a series of contemporaneous incidents in which the detainee was involved. The satisfaction was not based on a single or stray incident. In the in-camera statements separate incidents of criminal activities of the detainee were stated. The assertions are not assailed as untrue nor can they be said to be irrelevant for the purpose of the order. On such materials on record it cannot be said that there was no basis for the

detaining authority to feel satisfied that the detainee was either himself or as a member or leader of a gang habitually committed or attempted to commit or abetted the commission of any of the offences stated in Section 2(b-1). Therefore, the contention raised by learned Counsel for the petitioner that the conclusion arrived at by the detaining authority that the detainee was a dangerous person within the meaning of Section 2(b-1) was vitiated can not be accepted. In our view the detention order under challenge does not suffer from any infirmity.”

22. In the case in hand, the petitioner served with the impugned order, due to his dangerous activities in the society i.e. committed theft, dacoity and issuing life threat to the members in the society. As such, Aforesaid crimes are registered against the petitioner. Though the petitioner was enlarged on bail but he continued with said unlawful activities.

23. The impugned detention order clearly suggest that the petitioner is acting in the society as a dangerous person within the meaning of Section 2(b-1) of the MPDA Act. The detenu authority / respondent No.2 also considered the statements of witnesses ‘A’ and ‘B’. As per the statements of both these witnesses it prima facie appears that soon before passing an order of detention, the petitioner had indulged into criminal and dangerous activities in the first week of May 2025 and last week of April 2025, as quoted in paragraph 5 (i) and (ii).

24. It would be worthwhile to mention here that, the Respondent No.2 detenu authority considered previous criminal dangerous activities of the petitioner indicating his tendency and his prejudicial manner for maintenance of the public order and peace in the society. The respondent No.1 authority confirmed the order of detention passed by respondent No.2 on 19.09.2025 for a period of 12 months and communicated to the petitioner, which does not appear illegal, bad in law and it would not violate Section 3(3) of the MPDA Act. Therefore, we do not find any substance in the submissions of the learned counsel for the petitioner.

25. In view of above discussion, we do not find any substantial grounds to interfere with the impugned order. Hence, the present Writ Petition is deserve to be dismissed. Accordingly, we proceed to pass the following order:-

ORDER

- (i) The present Criminal Writ Petition is dismissed.
- (ii) Rule is discharged.

[Y. G. KHOBRADE, J.]

[SANDIPKUMAR C. MORE, J.]

SMS