

PEOPLE'S UNION OF CIVIL LIBERTIES, BIHAR STATE UNIT
204, NEELGIRI BHAWAN, WEST BORING-CANAL ROAD, PATNA - 800001

PRESS STATEMENT

For Immediate Release Date: 31.07.2026

SUBJECT: ILLEGAL DETENTION, HANDCUFFING AND HARASSMENT OF PUCL MEMBERS FOR RAISING VOICE AGAINST DENIAL OF DUE PROCESS TO DETAINED STUDENTS

The People's Union for Civil Liberties (PUCL) places on record its serious concern and strong condemnation of the conduct of the Bihar Police, in particular the SHO, Gandhi Maidan Police Station, in connection with the illegal detention and mistreatment of Akash Keshav, Advocate-on-Record, Patna High Court and Mr. Vрати Kumar, law graduate from Calcutta University, social worker, and independent filmmaker/director, both members of PUCL, on the 26th and 27th of July 2026. At times, advocate Akash Keshav has assisted the Patna High Court as Amicus Curiae.

Background

PUCL, in its meeting held on the 26th of July 2026, decided to extend legal support to students who had been detained or arrested by the police in connection with NEET student protests. Both Akash Keshav and Vрати Kumar were part of PUCL's legal support group. On the night of Sunday, 26.07.2026, when they reached the Gandha Maidan Police Station to ascertain the status and welfare of the detained students, they were informed that the detainees were being produced before the learned SDJM at Chhajju Bagh. Then they reached the Chhajju Bagh residence of the SDJM.

What Happened Inside the SDJM's Residence at Chhajju Bagh?

Initially, both Akash Keshav and Vрати Kumar observed the proceedings of the open court for a while. When they found that the students were being sent to judicial custody without following due process, they raised their objection with the court. None of the students was informed of the specific charges against them. They were not provided with copies of the First Information Report (FIR), which violated their basic legal rights. Advocate Akash Keshav, who was in his proper lawyer's robes, sought that copies of the FIR be furnished to the detainees, that their statements be duly recorded, and that the court proceedings be recorded. These objections and demands were met with hostility from police personnel and persons in plain clothes present in the courtroom. The SHO of Gandhi Maidan Police Station, Mr Akhilesh Kumar Mishra, declared, in a vindictive manner, that since he had been injured during the protest, all students produced before the SDJM must be sent to jail as a punishment. Advocate Akash pleaded that despite his sympathy with the SHO for having sustained injuries during the student protest, that could not become the basis for collective punishment of the students presented before the SDJM.

Breath Test, Imposition of Sections 37 of the Bihar Prohibition and Excise Act, 2016 and 132 of BNS

PUCL notes with grave concern that when advocate Akash Keshav, as an officer of the court, persisted in making submissions on behalf of the detained students, police officers reportedly turned aggressive and physically cornered advocate Akash Keshav, Vrati Kumar, and other advocates present. The SHO of Gandhi Maidan Police Station threatened to prosecute Akash Keshav unless he stopped raising objections on behalf of students. When they did not give in, he ordered the premises doors locked, and — without any direction or permission from the learned Magistrate — arranged for a breath analyser and compelled both Akash Keshav and Vrati Kumar to undergo the test on the spot, without the device being calibrated or tested and, subsequently, without any blood or urine confirmatory test being conducted. On the strength of this breath analyser reading alone, both Akash Keshav and Vrati Kumar were taken into custody by the SHO, Gandhi Maidan, while denying their production before the presiding Magistrate, and whisked them off to the Kotwali Police Station, where they were held overnight. The SHO, Gandhi Maidan, with the help of a staff member, himself prepared the arrest memo at Kotwali Police Station and asked Akash Keshav and Vrati Kumar to sign it. When they demanded a copy of the FIR, they were squarely denied it. This clearly establishes that the police officers had no respect for the due process of law and deliberately implicated our two members, defenders of human rights, in a false case.

Handcuffing and Finally Release on PR Bond

The following morning, on the 27th of July, they were taken to a nearby hospital in handcuffs, examined and declared fit, and thereafter brought back into custody. Even at the hospital, their urine and blood samples were not taken. Despite repeated requests for removal of the handcuffs, they were paraded in handcuffs, first within the police station, then at the Hospital and later, at around 2:00 PM, through the premises of Patna Civil Court, in full public view — a practice contrary to established guidelines of the Hon'ble Supreme Court and Hon'ble High Court on the use of handcuffs, which permit their use only in exceptional circumstances and never routinely or to humiliate an accused. The handcuffs were removed only after members of the legal fraternity present at the court premises intervened and objected.

Both Akash Keshav and Vrati Kumar were thereafter produced before the Learned Special Judge (Excise). Upon hearing the arguments of the Public Prosecutor and advocates for Akash Keshav and Vrati Kumar, the learned judge released them on Personal Recognisance (PR) Bond and reprimanded the Investigating Officer (IO) of the Kotwali Police Station for handcuffing them.

Misuse of Media to Malign Reputation

PUCL further notes with concern that, following their release, the police released the arrest-memo photographs of Akash Keshav and Vrati Kumar to the media and the SHO, Kotwali Police Station, gave statements to the print, electronic and social media, resulting in newspaper reports and videos that portrayed them as having been intoxicated and having misbehaved with a lady judicial officer. PUCL views this as a deliberate and malicious attempt to malign the reputation of two individuals who were performing the legitimate duty

of safeguarding the legal rights of young detainees, and to deflect attention from the violations of the due process of law by the police during the proceedings of the court.

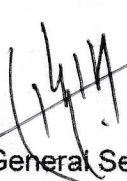
PUCL states that:

1. Every detainee, including minors and students, is entitled under law to be informed of the charges against them and to be furnished a copy of the FIR without delay.
2. No police officer has the authority to detain, coerce, or intimidate an advocate or a social worker for making legitimate submissions in open court on behalf of detained persons. In a travesty of justice, where section 132 of the BNS should have been imposed on the SHO, Gandhi Maidan, for obstructing an officer of the court (in this case, advocate Akash Keshav) from discharging his duty, it was advocate Akash Keshav and Vrati Kumar who were victimised by the police.
3. The use of a breath analyser or any other test on a citizen, without the permission of the court within its premises and without following due procedure (including calibration and confirmatory testing), and the consequent detention on that sole basis, is wholly illegal.
4. The parading of any person in handcuffs through public places, absent the specific circumstances recognised in law, is a violation of binding judicial guidelines and an affront to human dignity.
5. The release of their photograph and a one-sided, unverified narrative to the media by the police was deliberately done to prejudice public opinion against them. It violates not only procedural propriety but also the person's right to be presumed innocent until proven guilty.

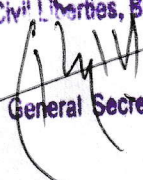
PUCL Demands that:

- The FIR filed against Akash Keshav and Vrati Kumar be quashed.
- An independent inquiry, preferably under the supervision of the Hon'ble Patna High Court, should be instituted into the conduct of the SHO, Gandhi Maidan Police Station, and other police personnel involved in the incident that occurred on the night of the 26th of July.
- Strict action should be taken against the erring officers for illegal detention, coercive testing without judicial sanction, unauthorised use of handcuffs, leaking photos, giving irresponsible statements to the media, and mental harassment of Akash Keshav and Vrati Kumar.

PUCL reiterates its commitment to upholding the rule of law, the independence of the legal profession, the protection of human rights defenders, and the constitutional rights of citizens, and will continue to monitor this matter closely.


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Peoples' Union for Civil Liberties, Bihar

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