

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4158 of 2025

Arising Out of PS. Case No.-23 Year-2018 Thana- SC/ST District- Patna

Syed Eqbal Masood @ Md. Syed Eqbal Masood S/O Syed Wahabuddin Md Subutagin Secretary Sultanganj Girih Nirman Samiti Ltd. R/O Mohalla-Patther Ki Masjid, Tekari Road, P.S.- Sultanganj, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Dev Narayan Paswan S/O Late Jyoti Paswan R/O Vill + Post - Ram Nagar, Diyara via - Bakhtiyarpur, Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Md Shahid Akhtar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 06-05-2026 1. Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.
2. No one appears on behalf of the informant/respondent no. 2.
3. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 26.07.2025 in A.B.P. No. 2973 of 2025 passed by the learned Exclusive Special Judge, SC/ST Act, Patna in connection with Special Case No. 245 of 2018 arising out of SC/ST P.S. Case No. 23 of 2018 registered under Sections 147, 341, 323, 504, 506 and 171(C) of the Indian Penal Code as well



as Sections 3(i)(r) and 3(i)(2) of the SC/ST Act.

4. Learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and the informant alleges that appellant along with other accused had abused and assaulted him when he was returning after filing the nomination paper.

5. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant on account of the political dispute. It is further submitted that allegation of assault and abuse is general and omnibus in nature. It is next submitted that similarly situated co-accused, namely, Rameshwar Rai had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No. 1794 of 2019 and the same came to be allowed vide order dated 15.07.2019 passed by the then learned Coordinate Bench of this Court.

6. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellant and submits that no doubt, similarly situated co-accused have been granted the privilege of anticipatory bail as would manifest from Annexure-P/2 series to the anticipatory bail application but then the accused had approached the Court in the year 2018 and 2019



but then it appears that appellant at his leisure is moving. It is further submitted that Court will not come to rescue of those who do not approach the Court in time.

7. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the appellant in connection with the aforesaid case.

8. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

