

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5400 of 2025

Mousim Ansari aged about 38 years son of Kurisda Ansari resident of Larongo PO and PS Sisai, District Gumla, Jharkhand.... Petitioner

-- Versus --

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:-	Mr. Amit Kr Choubey, Advocate
For the State	:-	Mr. Shiv Shankar Kumar, Advocate

2/16.09.2025 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Puso P.S Case No.4 of 2025, for offence registered under section 303(2) of BNS and section 54 of Jharkhand Minor Mineral Concession Rules, 2004 and section 13 of Jharkhand Minerals (Prevention of Mining, Transportation and Storage) Rules and Rule 21 of Mines and Minerals (Development and Regulation) Act , pending in court of learned Judicial Magistrate, First Class, Gumla.

3. Learned counsel for petitioner submits that the petitioner has already moved before this Court in ABA No.2788 of 2025 which was dismissed as withdrawn by the order dated 20.06.2025. He submits that fresh grounds are there and in view of that the present application has been filed in view of the fact that coaccused has been granted anticipatory bail.

4. Learned State counsel opposes prayer and submits that such kind of practice must be deprecated that once the bail is withdrawn before another Bench and after change of Bench further anticipatory bail applications are being filed in absence of any fresh ground.

5. In view of the above, it transpires that bail was granted to coaccused by this Court in another case in ABA No.3040 of 2025 by order dated 05.06.2025, however, ABA No.2788 of 2025 has been withdrawn on 20.6.2025. Thus, that ground was already available at that time and there is no changed circumstance for filing the present ABA afresh. It is well known that anticipatory bail can be maintained in the changed circumstances. No changed circumstance is there in the present anticipatory bail application, and as such, this petition is, hereby, dismissed.

(Sanjay Kumar Dwivedi, J.)

Dated: 16th Sept., 2025
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