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**IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR  
BEFORE  
HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA  
ON THE 23<sup>rd</sup> OF JUNE, 2022**

**MISCELLANEOUS CRIMINAL CASE No. 29570 of 2022**

**Between:-**

**BALCHAND LODHI S/O SHRI JWALAPRASAD  
LODHI, AGED 28 YEARS, OCCUPATION:  
MAZDOORI, R/O GRAM FULRA, TEHSIL AND  
DISTRICT DATIA (MADHYA PRADESH)**

**.....APPLICANT**

**(BY SHRI MUKESH BHATELE - ADVOCATE )**

**AND**

**STATE OF MADHYA PRADESH THROUGH  
POLICE STATION SIHOR, DISTRICT SHIVPURI  
(MADHYA PRADESH)**

**.....RESPONDENT**

**(BY SMT. ANJALI GYANANI - ADVOCATE)**

.....  
*This application coming on for hearing this day, the court passed the  
following:*

**ORDER**

Case diary is available.

This third repeat application under Section 439 of Cr.P.C. has been filed for grant of bail. Second bail application of the applicant was dismissed as withdrawn by order dated 25/03/2022 passed in MCRC No.14180/2022.

The applicant has been arrested on 11/01/2022 in connection with Crime No.85/2011 registered at Police Station Sehore, District Shivpuri for offence under Section 34(2) of M.P. Excise Act.

It is submitted by the counsel for the applicant that during the pendency of bail application of the applicant, which was registered as MCRC

No.29219/2022, this application was filed. It is further submitted that MCRC No.29219/2022, which was filed prior in time has already been withdrawn by the applicant.

Since, this application was filed during the pendency of another application filed by the applicant, therefore, this application is **dismissed as not maintainable**.

(G.S. AHLUWALIA)  
JUDGE

PjS/-

