

**IN THE COURT OF MS. MOHINI GOYAL  
JUDICIAL MAGISTRATE IST CLASS, SAMANA**

CNR No. : PBPTC10001162026  
CIS No. : BA-26-2026  
Date of Institution : 20.01.2026  
Date of Decision : 23.01.2026

FIR no.14, dated 15.01.2026  
U/s 61/1/14 of Excise Act  
P. S Sadar Samana, District Patiala.

Avtar Singh @ Tari son of Kala Singh, r/o village Marori, PS Sadar Samana, District Patiala.

Application U/S 480 of BNSS for the grant of regular bail to  
the applicant

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Present: Sh. G.S Gollen, Advocate for the applicant/accused  
Sh. Sukhpreet Singh, APP for the State

**Order:**

The present order of the Court shall dispose of the bail application moved by Avtar Singh @ Tari (applicant/accused) seeking regular bail in FIR No.14 dated 15.01.2026, registered under Section 61 of Excise Act,1914, PS Sadar Samana.

2. The facts arising out of the FIR are that on 15.01.2026, the applicant/accused was found in possession of 50 bottles of illicit liquor and was consequently apprehended on the same day and was sent to judicial custody on 16.01.2026 till 30.01.2026.

3. The Ld counsel for the applicant/accused *inter alia* submits that the alleged recovery has already been affected from the accused and no useful purpose will be served by keeping him behind the bars and therefore, he prays for grant of the concession of regular bail.

4. Notice was given to the Ld. APP for the State and report was called from the SHO. The Ld. APP has orally contested the application by stating that the applicant/accused is a habitual offender and is involved in as many as 03 FIRs and therefore he should not be granted bail.

5. I have heard learned counsel for the accused/applicants, as well as, learned APP and have gone through the police record carefully.

6. Perusal of the record reveals that the applicant/accused has been apprehended in the present FIR for the commission of offence punishable under Section 61/1/14 of Excise Act and that the applicant/accused is involved in three other separate FIR's besides the present FIR. However, the allegations leveled against the accused are yet to be proved. It is the settled principle of law that accused is presume to be innocent, until prove guilty.

7. Moreover, the presentation of challan and conclusion of trial is likely to take considerable time and no fruitful purpose will be served by detaining the accused/applicant behind the bars for indefinite period, rather it would be burden on State exchequer. Further recovery has already been effected. Furthermore, it is the cardinal principle with respect to the criminal jurisprudence as to bail states that "bail is the rule and jail is the exception". In the wake of above, accused/applicant is admitted to bail on furnishing bail bonds in the sum of Rs.75,000/- with one surety in the like amount subject to the following conditions;

(i) the applicant/accused shall not travel anywhere beyond the territorial of India without seeking prior permission of this court;

(ii) the applicant/accused will appear each and every date of hearing;

(iii) That such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(iv) Accused shall be bound to intimate the court as and when there is any change in his address.

Requisite bonds not furnished. Bail application disposed off accordingly and be tagged with the remand papers.

Date of Order: 23.01.2026

(Mohini Goyal)  
JMJC(Duty), Samana  
UID No. PB00732