

M/L 41
03.11.2025
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C.R.M. (M) 2001 of 2025

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jorasanko Police Station Case No.94 of 2025 dated 30.04.2025 under Sections 105/110/124/125/287/3(5)(7) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 11C/11J/11L/26 of West Bengal Fire Services Act;

Sk. Mohammad Sagir Ali @ Sk. Md. Sagir Ali
Versus
The State of West Bengal

Mr. Aniruddha Bhattacharyya
Mr. Arif Mohammad Khan
Ms. A. Bose
Ms. Rai Das.

...for the petitioner.

Mr. Md. Adil Badr
Mr. Sobhan Gani.

...for the State.

Learned advocate appearing for the petitioner submits that the present petitioner is an employee of one Khurshid Alam who was carrying out the interior designing for renovation work at the bar-cum-restaurant, namely, Rituraj Hotel.

Petitioner is in custody since 5th May, 2025.

Learned advocate for the petitioner submits that the allegations so far as the present petitioner is concerned do not attach any culpability although the employer of the petitioner cannot disown the responsibility.

Learned advocate for the State has produced the case diary and emphasized on the FSL report which prima facie reflects that the fire did not have its origin in the kitchen of Rituraj Hotel

and, as such, emphasized that the renovation-cum-construction job in the first floor generated electric spark which were of highly inflammable materials and were the cause of fire which had taken away the life of 14 persons.

I have taken into account the period of detention of the petitioner which is almost 6 months. The complicity of the present petitioner is also assessed by this Court. I find that there are materials appearing against the petitioner but having considered the nature of offence and particularly culpability of the petitioner, I am not inclined to further detain the petitioner.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner namely, Sk. Mohammad Sagir Ali @ Sk. Md. Sagir Ali shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM, Calcutta.

If on bail, the petitioner shall make himself available once in a week before the Officer-in-Charge, Jorasanko Police Station till the charge is framed by the learned trial court. The petitioner shall be physically present on each and every date so fixed by the learned trial court. In case there is any violation of the aforesaid conditions, the learned Magistrate or the learned trial court would be entitled to cancel the bail of the petitioner without further reference of this Court.

Accordingly, CRM (M) 2001 of 2025 is allowed.

Case diary be returned to the learned advocate appearing

for the State.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)