

CRLMC NO.291 OF 2016

29.02.2016. Heard learned counsel for the petitioners and learned State Counsel. Perused the impugned order.

The petitioners call in question the order dated 03.04.2015 passed by the learned C.J.M.-cum-Asst. Sessions Judge, Angul in C.T.(S) Case No.65 of 2012/31 of 2012 directing issuance of N.B.W. against the petitioners for their absence in the court on that date.

It is stated by the learned counsel for the petitioners that the petitioners could not appear before the learned court below on the date fixed because of communication gap between the lawyer and the accused persons. It is the first default on the part of the petitioners.

Considering the facts and circumstances of the case, without interfering with the impugned order, it is directed that if the petitioners surrender before the learned C.J.M.-cum-Asst. Sessions Judge, Angul in C.T.(S) Case No.65 of 2012/31 of 2012 on or before 14.03.2016 and move for bail, they shall be released on bail on furnishing cash security of Rs.1,000/- (Rupees one thousand) each and executing fresh bond for Rs.30,000/- (rupees thirty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned C.J.M.-cum-Asst. Sessions Judge, Angul with further condition that they shall personally appear before the court below on each date till completion of trial.

The CRLMC is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

B.K.Nayak,J.