

04.04.2022

13

Ct. No. 29

KAUSHIK

DNP

C.R.M. (A) 1524 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **475** of **2021** dated **28.10.2021** under Section 363/365/34 of the Indian Penal Code.

And

In Re : Avi @ Avijit Sarkar @ Abhijit Sarkar

..... petitioner

Mr. Navanil De

Mr. Rajeshwar Chakraborty

Ms. Subhrajit Dey

....for the petitioner

Mr. Ranabir Roychowdhury

Mr. Sandip Chakraborty

....for the State

Since, the issue as to whether a juvenile can approach and obtain an order for anticipatory bail under Section 438 of the Code of Criminal Procedure, is pending before the Larger Bench as it was referred to by a Division Bench, where it was opined that a juvenile is not entitled to anticipatory bail, learned advocate appearing for the petitioner seeks leave to withdraw the present petition and file the same afresh once such issue is settled by the Larger Bench.

Consequently, CRM(A) 1524 of 2022 is dismissed as not pressed in view of the contentions noted above.

State is represented.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)