

1. Tirth Nath Akash  
2. Anuranjan Ashok

... .. Petitioners

Versus

1. State of Jharkhand
2. Chief Secretary, Govt. of Jharkhand, Project Building, Ranchi
3. Home Secretary, Govt. of Jharkhand Project Building, Ranchi
4. S.P Sahebganj Jharkhand,
5. Secretary Depart. Of Mines & Geology, Nepal House, Ranchi
6. Director, Mines & Geology, Nepal House, Ranchi
7. District Mining Officer, Sahebganj, Jharkhand
8. Director, the Central Bureau of Investigation, Plot No. 5/B 6<sup>th</sup> Floor,  
CGO Complex, Lodhi Road, Jawaharlal Nehru Stadium Marg, Delhi
9. Director, Income Tax Investigation, Ranchi
- 10.Pankaj Mishra
- 11.Dahu Yadav

**CORAM:       SRI SANJAYA KUMAR MISHRA, C.J.**  
**SRI ANANDA SEN, J.**

|                      |                                   |
|----------------------|-----------------------------------|
| For the Petitioner:  | Mr. Rajeev Kumar, Advocate        |
| For the CBI:         | Mr. P.A.S Pati, Advocate          |
| For the State        | Mr. Piyush Chitresh, AC to AG     |
| For the Respondents: | Mrs. Jasvinder Mazumdar, Advocate |
|                      | Mr. Rohan Mazumdar, Advocate      |

**04 /Dated: 27.04.2023**

Upon hearing the learned counsel for the parties, this Court passed the following, (Per. Sanjaya Kumar Mishra, J.)

## ORDER

2. By filing the instant W.P (PIL) the petitioners have prayed for directing the Director, CBI to investigate two persons namely Pankaj Mishra & Rahul Yadav for allegedly involvement in mining scam involving thousands of crores of rupees.

3. However, we have gone through the record and find that petitioners have not lodged any FIR before any of the concerned police station having jurisdiction.

4. In that view of the matter, Public Interest Litigation stands **disposed of** giving a liberty to the petitioners to lodge First Information Report before the Officer-in-charge of the police station having

territorial jurisdiction delineating the exact facts which constitute an offence under any of the provisions of Indian Penal Code or any of the special law. If any FIR is lodged, preliminary inquiry shall be conducted by the Officer-in-charge of the concerned police station and if prima facie a case is made out, let an appropriate order shall be passed in terms of Section 154 of the Code of Criminal Procedure, 1973 within a period of seven days from production of the FIR and the certified copy of this order as per the Rules.

5. All pending Interlocutory Applications stand disposed of.
6. No orders as to costs.

**(Sanjaya Kumar Mishra, C.J.)**

**N.A.F.R**  
Anjali/

**(Ananda Sen, J.)**