

HIGH COURT OF UTTARAKHAND AT NAINITAL

Fifth Bail Application No.4 of 2025

Rakesh Mishra alias Rakesh Kumar alias Pappu Mishra
.....Applicant
Versus
State of Uttarakhand
.....Respondent

Present:-

Mr. Mani Kumar, Advocate for the applicant.
Ms. Manisha Rana Singh, Deputy Advocate General for the State.
Ms. Suraiya Naaz, Advocate holding brief of Mr. Lalit Sharma, Advocate
for the informant.

Hon'ble Ravindra Maithani, J. (Oral)

The applicant is in judicial custody in FIR No.363 of 2021, dated 15.06.2021, under Sections 302, 504, 506 IPC, Police Station Rudrapur, District Udham Singh Nagar. He has sought his release on bail. It is fifth bail application of the applicant.

2. Heard learned counsel for the parties and perused the record.

3. At the time of arguments, learned counsel for the applicant submits that this bail application may be treated as short term bail application. He seeks short term bail on the ground that his elder daughter, who was suffering with Tumour has been operated on 19.03.2026 at AIIMS, Delhi and she has been discharged after five days; she is still in Delhi; she has to go for regular check-up.

4. Learned counsel for the applicant submits that earlier also when the elder daughter of the applicant was suffering from Tumour, he was granted short term bail on

09.01.2026. At that time the surgery could not be done. Therefore, the applicant surrendered to the custody again. It is argued that now the elder daughter of the applicant has already been operated on 19.03.2026 of Tumour in brain; she has been discharged from hospital, but she is still unwell; she has to go for regular check up in the hospital.

5. Learned State Counsel submits that the elder daughter of the applicant was operated for Brain Tumour on 19.03.2026.

6. Having considered the instant bail application is treated as short term bail application.

7. Without adverting on the merits of the case, purely on the humanitarian ground, this Court is of the view that the applicant may be granted short term bail for a period of 14 days from the date of his actual release.

8. The short term bail application is allowed.

9. Let the applicant be enlarged on short term bail only for a period of 14 days from the date of his actual release subject to his furnishing a personal bond and executing two reliable sureties, each of the like amount, to the satisfaction of the court concerned. It is further directed that, on expiry of 14 days, the applicant shall surrender before the court concerned and intimation to that effect shall also be given to this Court. The applicant shall give undertaking as well which are as follows:-

- i) He shall not contact any party, any witness of the case in any manner, physically or electronically.
- ii) The applicant shall not seek any adjournment for whatsoever reason in the trial.
- iii) It is further directed that the applicant shall deposit his passport, if any, to the court concerned. In case he does not have any passport, he shall give an undertaking to this effect to the court concerned.

(Ravindra Maithani, J.)
25.03.2026

Sanjay