

**HIGH COURT OF UTTARAKHAND AT NAINITAL**

**Fifth Bail Application No.4 of 2025**  
With  
**Short Term Bail Application No.3 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, D.A.G. for the State.  
Mr. Lalit Sharma, Advocate for the informant.

**Hon'ble Ravindra Maithani, J. (Oral)**

Applicant is in judicial custody in FIR No.363 of 2021, under Sections 302, 504, and 506 IPC, Police Station Rudrapur, District Udham Singh Nagar. He seeks short term bail on the ground that his elder daughter is suffering with tumour on her brain.

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

3. Learned counsel for the applicant submits that the elder daughter of the applicant is suffering with tumour on her brain; she has been operated twice in the past; now the doctors have apprehended malignancy of the tumour and one more surgery is to be done, for which purpose, amount has already been deposited in AIIMS, New Delhi. In the past, appointments were taken, but she could not be admitted. Now the next date for admission is 13.01.2026. Therefore, for a week, the applicant may

be granted short term bail so that he can make arrangements for admission and surgery of his daughter.

4. Learned counsel for the informant submits that the applicant has not been able to show that the date of surgery has been fixed.

5. Learned State Counsel submits that as per the documents, the daughter of the applicant is definitely suffering with brain diseases, and she is under treatment at AIIMS also, but she submits that as such no date for surgery is fixed, though, she submits that she has two appointments on 13.01.2026 and 16.01.2026, with the doctors at AIIMS, New Delhi. It is also admitted that in the individual family of the applicant, his wife and two daughters are back at home.

6. During the course of hearing, it is also brought to the notice of the Court that the trial is pending at a fag end. On 12.01.2026, the arguments are to be advanced.

7. Without adverting further on any aspect of the matter, purely on the humanitarian ground, this Court is of the view that, the applicant may be granted short term bail for a period of one week from the date of his release.

8. The short term bail application is allowed.

9. Accordingly, the applicant shall be enlarged on short term bail only for a period of one week from the date of his release on his executing a personal bond and furnishing two reliable

sureties, each of the like amount to the satisfaction of the Court concerned. It is further directed that, on expiry of one week, the applicant shall surrender before the court concerned and intimation to this 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) If the daughter of the applicant is not admitted on 13.01.2026, within next four days, he will surrender to custody.
- iii) The applicant shall not seek any adjournment for whatsoever reason in the case.
- iv) 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 it in writing to the Court.

(Ravindra Maithani, J.)  
09.01.2026

Ravi Bisht