



REPUBLIC OF KENYA



**Abubakar v Republic (Miscellaneous Criminal Application  
E074 of 2022) [2023] KEHC 305 (KLR) (26 January 2023) (Ruling)**

Neutral citation: [2023] KEHC 305 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
MISCELLANEOUS CRIMINAL APPLICATION E074 OF 2022**

**A. ONG'INJO, J  
JANUARY 26, 2023**

**BETWEEN**

**HUSSEIN ATHUMAN ABUBAKAR ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The application dated October 18, 2022 has been considered and the same is allowed. The appellant is admitted to bail pending hearing and determination of appeal. He may be released on bond of Kshs 100,000 with one surety of similar amount on condition he prosecutes the appeal expeditiously.
2. Mention on March 1, 2023 for record of appeal from Shanzu.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,**

**THIS 26<sup>TH</sup> DAY OF JANUARY 2023**

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

**In the presence of: -**

**Ogwel- Court Assistant**

**Mr. Ngiri for the Respondent**

**Mr. Birir Advocate for the Applicant present**

**Applicant present in person**

