



**Mutinda v Republic (Criminal Appeal 28 of 2023)
[2023] KEHC 25876 (KLR) (27 November 2023) (Directions)**

Neutral citation: [2023] KEHC 25876 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL APPEAL 28 OF 2023
DR KAVEDZA, J
NOVEMBER 27, 2023**

BETWEEN

MICHAEL MUTINDA APPELLANT

AND

REPUBLIC RESPONDENT

DIRECTIONS

1. The applicant has filed an application under certificate of urgency praying for a ruling pursuant to their application dated August 1, 2023.
2. According to the court records, the appellant submitted a bail application dated August 1, 2023 which was filed on August 7, 2023. The hon. Presiding Judge Criminal division received the case on the same day and it was assigned to this court, with a mention date set for August 28, 2023. The original lower court file and certified proceedings record were requested from the deputy registrar.
3. However, on August 28, 2023, the lower court file was still unavailable. The court reiterated its previous orders, setting a further mention date for October 24, 2023. During this session, neither the appellant nor their advocate was present. The court stressed the need for the lower court file to be availed within 60 days, granting the Deputy Registrar more time. The matter is scheduled for directions on January 29, 2024. The applicant is currently requesting a ruling date for the bail/bond application.
4. However, without the original lower court record, this court cannot make a determination. The court assures the appellant that the matter will be handled promptly once directions are issued, and patience is appreciated.

DIRECTIONS ISSUED THIS 27TH DAY OF NOVEMBER 2023

D. KAVEDZA



JUDGE

