



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

MISC. CR. 29 OF 2020

(CRIMINAL CASE NO. 241 OF 2016- ISIOLO)

ABDIAZIZ ABDI HIRSI.....APPLICANT

VERSUS

REPUBLICRESPONDENT

RULING

1. By an application dated 22nd May 2020 brought under certificate of urgency the applicant Abdiaziz Abdi Hirsi applied that his bond terms be reviewed downwards and that he be allowed to provide one surety with an option of cash bail pending determination of his trial in Isiolo Chief Magistrate court Criminal Case No. 241 of 2016.

2. The application is based on the grounds on the face of the application and on the supporting affidavit of the applicant in which he avers that the application is urgent and in accordance to practice directions to mitigate Covid-19 in Kenya Justice system issued by Chief Justice on 16th March 2020. The applicant complained that he was unable to raise the bond terms issued to him in the trial court and pleaded that it should be revised to enable him provide one surety and that he should be given an option of cash bail.

3. Another reason why the applicant seeks to have the bond terms reviewed is that he is sick and has been having constant attacks of asthma as per the medical report annexed AAH2.

4. This application was directed to be canvassed by way of written submissions but parties have not filed any submissions neither has the Respondent opposed the application. The application is therefore allowed in the following terms.

a) The applicant will provide one surety to the bond terms granted in the trial court

b) The said surety should be of Kenyan origin

c) Surety approval to be done by the trial magistrate after the Probation Office and the Investigating officer have established the surety's abode.

HON.A. ONG'INJO

JUDGE

RULING DATED AND DELIVERED AT MERU IN OPEN COURT THIS 28TH . DAY OF MAY 2020.

IN THE PRESENCE OF:

CA: KINOTI

STATE:MS MBITHE

ADVOCATE FOR APPLICANT:- Mr Otieno C

Applicant :- No appearance

Court: Ruling to be supplied to Applicant counsel

HON.A. ONG'INJO

JUDGE