



REPUBLIC OF KENYA

AT THE HIGH COURT IN NAIROBI

CRIMINAL DIVISION

MISC. CRIMINAL APPL. NO. 92 OF 2017

DENNIS MACHARIA NDERITU.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

1. I have considered the respective submissions. The Applicant seeks a consolidation of bond terms in Makadara **Criminal Case Nos. 2439 of 2016 and 2391 of 2016**. The court called for the two file and has perused them.

2. They both are being heard by courts 2 and 3. The offences are similar and are being investigated by one Police Station, Embakasi. Hence, mobilization of witnesses is easy. I have also noted **Criminal Case No. 2439 of 2016** has not taken off since 2016 and only one witness in **Criminal Case No. 2491 of 2016** has testified. This is a great injustice on the part of the Applicant. I therefore order that the Applicant posts a bond of Kshs. 500,000/= with one surety of a similar amount for both files. The surety shall be assessed by Court No. 2.

3. Further, the surety approval documents shall be filed in both files for purposes of reference and tracking the surety.

**Dated and delivered this 26<sup>th</sup> day of September, 2019**

**G.W. NGENYE-MACHARIA**

JUDGE