

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CRIMINAL DIVISION

MISC. CRIMINAL APP. NO. 118 OF 2018

JAMES MABANGO AMBUNDO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

The assertion by the Respondent that the police are no longer investigating the Applicant are made from the bar as no affidavit has been sworn to support them.

Hence, the instant application can only be closed if final orders are granted. The court takes that it is unopposed. In the circumstances, I allow the application with the following orders:

- a) The Applicant shall be admitted to a personal bond of Kshs. 20,000/= pending any appearance in court.
- b) For avoidance of doubt, I order that the applicant shall not be arrested in relation to the matter at hand, being the donation of Power of Attorney by one Doctor Martin Luther Mark Were. Should the police decide to charge him, they shall summon him to appear in court to answer to charges.

DATED and DELIVERED this 16th day of April, 2018

G.W. NGENYE-MACHARIA

JUDGE

In the presence of:

1. *Mwangi for the Applicant*
2. *M/s Sigei for the Respondent*