



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KITALE

Criminal Appeal No. 22 Of 2018

(Being an appeal arising from conviction and sentence in Kitale Chief Magistrate's Court in Criminal case No. 1035 of 2012 delivered by V.W. Wandera – Chief Magistrate)

IGNATIUS KATASI MAINA.....1ST APPELLANT

CHARLES MAINA WAFULA.....2ND APPELLANT

THADDEUS WEKESA MAKOKHA.....3RD APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

R U L I N G

1. There are 3 sets of application brought by the parties herein dated 26/3/2018. For purposes of this application and moving forward files number Criminal Application No. 22/2018, 23/2018 and 24/2018 be and are hereby consolidated for ease of determination as in any event they emanate from one lower court file.

2. The said application prays that the appellants be granted bail pending the intended appeal which they have already preferred. Apparently all the applicants have attached their various affidavits citing various ailments which they have and they are therefore apprehensive that they shall suffer serious health conditions should they not be granted their prayers.

3. The learned State counsel has not opposed the same. I also reckon that the appellants/applicants had been granted bail while the lower court proceedings were on. Accordingly each of the applicant shall be released on a bond of Kshs one Million with surety of similar amount. The appeal should be processed and heard within 3 months from the date herein.

4. The applicants must attend court at all times when their appeals are for mention or hearing.

Orders accordingly.

Delivered, signed and dated at Kitale this 12th day of April, 2018.

H.K. CHEMITEI

JUDGE

12/4/18

In the presence of:

Mr Kakoi for the State

Appellant – present

Court Assistant – Kirong

Ruling read in open court