



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**CRIMINAL DIVISION**

**MISC. CR. APPLICATION NO. 217 OF 2017**

**CYPRIAN MIGHIRA M'ARIMI.....APPLICANT**

**VERSUS**

**REPUBLIC .....RESPONDENT**

**RULING**

I have seen the pre-bail report by the Probation Officer. Although the applicant cannot afford the terms of bail granted, the court might also consider that the bail/bond must be commensurate with the offence. I do however bear in mind that bond is needed to ensure that accused avails himself for trial. Owing to the large amount involved in count I, it is impossible to lower the bail terms to the amount the applicant asks for. However, the bond itself can be reduced so that the applicant can afford a surety.

Accordingly, I reduce the bond to a sum of Kshs. 800,000/= with one surety of a similar amount or a cash bail of Kshs. 500,000/=. The applicant may also explore settling the matter out of court which the complainant is amenable to. (See probation Officer's Report).

**Dated and Delivered this 24<sup>th</sup> day of October, 2017**

**G.W. NGENYE-MACHARIA**

**JUDGE**