

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

MISC. CRIMINAL APPL. NO. 259 OF 2016

VINCENT OORI OTIENO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

I have considered the application and submissions by the Applicant, Respondent and the Interested Party. The offence with which the Applicant was charged is a misdemeanor. However, the court cannot also overlook the fact of the value of the subject motor vehicle which is the subject matter in the trial. The same is valued at Kshs. 5,110,000/= . However, I bear in mind that the Applicant is presumed innocent until proven guilty. Some of the arguments made before me are matters of evidence to be adduced in the trial and I need not analyze them in this ruling.

Taking into account all factors mentioned above, I think that the bond terms given to the Applicant are reasonable. But since he is a Kenya Citizen with no chances of absconding, I will consider the application favourably.

He shall pay a cash bail of Kshs. 200,000/= or deposit a bond of Kshs. 700,000/= with one surety of a similar amount to be assessed by the trial court.

DATED and DELIVERED this 27th day of July, 2016

G.W. NGENYE-MACHARIA

JUDGE

In the presence of:

1. Applicant in person

2. Ms. Akuja for the Respondent