

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

REVISION No. 34 OF 2016

GEORGE KRISMAS LENGEES.....APPLICANT

VERSUS

REPUBLICRESPONDENT

RULING

By a letter addressed to the High Court by **Waichungo Martin & Co. Advocates** an application was made to have the bond terms issued to the accused **GEORGE KRISMAS LENGEES** in **Nyahururu CMCC 1755 of 2016** reviewed.

The accused faces charges of Attempted Robbery with Violence, Possession of a Firearm, and Possession of Ammunition. The trial magistrate imposed a bond of Ksh 9,000,000/= plus one surety of like sum. I have carefully perused the proceedings before the lower court. The prosecution did oppose the grant of bail. However the learned trial magistrate overruled this objection and granted bail as stated above.

I do agree with counsel that the bail terms are excessive. A bail of Ksh 9.0 million is so excessive as to amount to an outright denial of bail. I have considered the charges the accused faces and in my view they do not warrant such high bail terms.

Therefore in exercise of the review powers granted to the High Court I hereby set aside the bail terms awarded by the trial court and instead substitute a bail of Ksh 1,000,000/= (one million only) plus one (1) surety of like sum.

Dated in Nakuru this 29th day of September, 2016

Maureen Odera

Judge