



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAKURU**

**CRIMINAL APPEAL NO. 121 OF 2016**

**GEORGE MWANGI WACUKA .....ACCUSED VERSUS**

**REPUBLIC ..... RESPONDENT**

**RULING**

The applicant by way of the Chamber Summons dated 19/9/2016 has sought to be released on board during the pendency of his appeal.

The applicant was tried in the lower court vide **Nakuru CMCC No. 914 of 2013**. He was convicted of the offences of **Preparation to Commit a Felony and Possession of Narcotic Drugs** for which he was sentenced to a term of 2 years and 7 years imprisonment respectively. The sentences are to be served concurrently.

I have perused the record of the trial before the lower court. I am not mindful of the fact that I am not required at this stage to determine the merits or otherwise of the intended appeal. I find no merit in this application for bond pending appeal. The same is hereby dismissed.

Read in open court.

Ms Kerubo for Appellant.

Hearing of Appeal on 21/3/2017. Appeal is hereby admitted for hearing. The record to be served on office of DPP. Hearing on 21/3/2017.

**Dated in Nakuru this 31<sup>st</sup> day of October, 2016**

**M. Odero**

**Judge**

**31/10/2016**