

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

MISC. CRIMINAL APPLICATION NO. 421 OF 2016

AINSWORTH MARAGARA KITHINJI..... APPLICANT

VERSUS

REPUBLIC..... RESPONDENT

RULING

The application dated 17th November, 2016 is granted. It is true and in public domain that secondary school principals and currently supervising National exams. And therefore, the Applicant could not have availed himself in court on 17th November, 2016.

I accordingly lift the withdrawal of arrest issued against him. I also reinstate the cash bail that was forfeited. The Applicant will appear before the trial magistrate on 1st December, 2016 to take a date for hearing.

Dated and Delivered at Nairobi this 23rd November, 2016.

G.W. NGENYE-MACHARIA

JUDGE

In the presence of:

- 1. Wasonga for the Applicant*
- 2. M/s Nyauncho for the Respondent.*