



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI
CRIMINAL CASE NO.75 OF 2012
REPUBLIC.....PROSECUTOR
VERSUS
DANIEL MUNYI MWANIKI.....ACCUSED
RULING

The application before me seeks a review of my ruling dated 6th June 2013. In that ruling, I denied the applicant bail for reason that his antecedents highlighted in the social inquiry report that he was not a law abiding citizen. The present application contests that finding and also presents a new ground that the applicant has fallen ill while in custody and requires an urgent operation. A medical report prepared by Dr. Ndeti is attached to the application.

The State has opposed the application on the grounds that there was nothing new to warrant a review of the court's previous ruling.

Having considered the application and in particular the medical ground on which the same is founded, I exercise my discretion to grant the applicant bail. He is released on the conditions that:-

- i. Accused shall pay cash bail of One million shillings (Kshs.1,000,000./-) and two sureties of similar amount.
- ii. The accused shall deposit his passport with the court and not leave the jurisdiction of the court without leave of the court.
- iii. The accused person shall not contact prosecution witnesses and shall not in any manner whatsoever interfere with them. Any such interference shall lead to the automatic cancellation of this bond.
- iv. Accused shall attend court for the mention of his case once every month. The first of such mentions shall be on 30th June, 2014.

Ruling delivered, dated and signed at Nairobi this 27th day of May, 2014

R. LAGAT - KORIR

JUDGE

In the presence of:

-: Court clerk
-: Applicant
-: For the applicant
-: For the State/respondent