



REPUBLIC OF KENYA

High Court at Mombasa

Criminal Appeal 8 of 2013

ESTHER MUNYIVA..... APPELLANT

- V E R S U S -

REPUBLICRESPONDENT

RULING

The applicant was convicted and sentenced to 2 years imprisonment for the offence of stealing by servant CPS 281 of the penal code.

The particulars of the charge are that between the 22nd day of December 2008 and 2nd day of February 2009 at Sabaki Bar in Changamwe Mombasa within the Coast province being a servant to Munyoki Kisuli Mbai she stole from the said Munyoki Kisuli Mbai cash of Kshs. 540,000/- which came to her possession by virtue of her employment.

The application before the court is for the release of the appellant on bond pending determination of her appeal.

The state does not oppose the release of the appellant on bond bearing in mind that throughout her trial in the lower court she did not abscond.

I have perused the proceedings and Judgment of the lower court and

I am satisfied this is a good case for the grant of Bond pending appeal.

It is accordingly ordered that the appellant do post a bond of Kshs. 100,000/- with one surety of similar amount pending appeal.

Ruling read and delivered in open court this 20th day of February 2013.

In the presence of

Appellant	Alando
Counsel	Jami
Court clerk	Musundi

MARTIN M. MUYA

**JUDGE
20.2.2013**

In the presence of:

Appellant - present.

Court clerk - - Mr. Musundi

State Counsel – Mr. Jami

MARTIN M. MUYA

**JUDGE
20.2.2013**