

REPUBLIC OF KENYA

High Court at Kakamega

Criminal Appeal 226 of 2012

(An application for bail pending hearing of the appeal)

SELIVA NECHESA KADIMA APPELLANT

VERSUS

REPUBLIC RESPONDENT

RULING

The appellant was convicted and sentenced to serve ten (10) years imprisonment. She has filed an appeal and also applied for bail pending appeal. The State Counsel Mr. Oroni does not oppose the application for bail pending appeal on the ground that the section of law upon which the appellant was charged had been repealed by Act No. 8 of 2010, 2nd Schedule. The applicant was charged and convicted in 2012.

For the reasons given by the learned State Counsel, I find no reason to continue detaining the applicant in custody.

I allow the application. The applicant will be released on bond of Kshs.100,000/= with one surety. She will attend the hearing of the appeal and monthly mentions. First mention will be on 12th March, 2013.

Delivered at Kakamega this 12th day of February, 2013

**George Dulu
J U D G E**