



REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Criminal Case 79 of 2011

REPUBLIC.....PROSECUTOR

-VERSUS -

PHOEBE BELDINE MITOWO..... ACCUSED

RULING

This is a ruling on an application for bail dated 25/02/13.

The application is brought under **Article 49(1)(h)** of the **Constitution** and is supported by the affidavit of the applicant.

The State did not oppose the application. It is well established law that bail is a qualified right of any accused or arrested person. The purpose of bail is to confer to the accused or the arrested person his individual rights and freedoms under the Constitution. The court has a duty to ensure that the accused or the arrested person attend court for trial.

I allow the application on the following terms:

1)That the accused may be released on bond of Kshs. Two million (Kshs.2,000,000/=) with one surety of a like amount.

2)That the accused will not leave the jurisdiction of the court without the permission of this court.

3)That the accused deposits her passport/passports if any with the court.

4)That the accused attends mention once every calendar month until the case is finally disposed of.

I hereby so decree and declare.

Ruling dated and delivered on the **30th** day of **April 2013** in the presence of the accused, his advocate Mr. Ochieng and the State Counsel Mr. Karuri.

F. MUCHEMI

JUDGE