

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KISUMU
Criminal Appeal 81 of 2012

JIM OTIENO NYANJWA.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

R U L I N G

The applicant Jim Otieno Nyanjwa filed the application dated 12-7-2012 praying that he be released on bond pending his intended appeal.

The applicant was charged with various offences of stealing and handling stolen goods among others.

He was found guilty and sentenced by trial court which has produced this application and appeal.

The duty of this court is to only deal with the application at hand and not the substantive appeal at this juncture.

I am satisfied that the applicant's application is meritorious. He has established a prima facie appeal. Bond or bail pending appeal is a constitutional right.

Consequently, I shall grant the applicant a bond of Kshs. 500,000/= with a surety of similar amount or a cash bail of Kshs. 100,000/= pending the hearing and determination of this appeal.

Dated, signed and delivered at Kisumu this 25th day of July, 2012.

H.K. CHEMITEI
JUDGE

In the presence of:

.....for the state

.....for the appellant

HKC/va