

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KISUMU
Criminal Case 73 of 2012

MARK ODHIAMBO OKOKOAPPELLANT
VERSUS

REPUBLICRESPONDENT

(From original conviction and sentence in Criminal Case number 1434 of 2010 of the Principal Magistrate's Court at Maseno– Mr. J. M. Nangea Esq.)

RULING

The applicant's application dated 11th July 2012 prays that the applicant be granted bail pending appeal. The applicant was charged with the offence of grievous harm contrary to Section 234 of the Penal Code. He was convicted and sentenced to serve a three (3) years imprisonment.

I have perused the proceedings as well as the judgment on record. I also perused the supporting affidavit. The right of appeal as well as bail pending appeal is a constitutional right of every individual.

I am satisfied that the applicant has established a prima facie appeal. I am also satisfied that this application has been brought without undue delay.

For the foregoing reasons I order that the appellant be released on a bond of Kshs. 500,000 with one surety of similar amount or a cash bail of Kshs. 100,000/=. Since the lower proceedings are already in place the applicant should proceed to prepare the same for directions and subsequent hearing.

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

H. K. CHEMITEI
JUDGE

In the presence of:

.....State Counsel

.....Advocate for Appellant

HKC/aao