



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL APPEAL NO. 153 OF 2011

(From Original Conviction and Sentence in Criminal Case No. 47 of 2010 of the Chief Magistrate’s Court

at Mombasa: R. Kirui – P.M.)

SALIM SAID KOI.....1ST APPELLANT
DONDO MKALA.....2ND APPELLANT

=VERSUS=

REPUBLIC.....RESPONDENT

RULING

The Applicants herein have applied through their Advocate **MR. ATANCHA** to be released on bail/bond during the pendency of their appeal filed against their conviction and sentence by the learned Principal Magistrate sitting at Mombasa Law Courts. The application was not opposed by the State. I have considered this present application. I have also considered the record of the proceedings from the trial court as well as the Grounds of Appeal listed in the Applicant’s Petition of Appeal filed on 12th July 2011. I am not persuaded that there exist valid grounds to suspend the sentence imposed by the trial court. I do therefore decline to admit the Applicants to bail pending their appeal.

Dated and Delivered in Mombasa this 22nd day of July 2011.

M. ODERO

JUDGE

In the presence of:

Mr. Atancha for Applicants

Mr. Onserio for State