



**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA**

Criminal Appeal 89 of 2010

PETER MUKOLWE OSUNDWA APPELLANT

VERSUS

REPUBLIC RESPONDENT

RULING

The applicant herein seeks to be admitted to bond terms pending the hearing and determination of the appeal which he has lodged against, both his conviction and sentence by the lower court in traffic case No. 2393 of 2010. I have carefully considered the submissions of Mr. Kadima, learned counsel on behalf of the applicant. Mr. Onserio, learned state counsel has opposed this application. I have also perused the lower court proceedings. Whilst it is not my intention to pre-empt the intended appeal I am convinced that this present application has merit. The same is hereby allowed and I do admit the applicant to bail pending appeal on condition that he post bail of Kshs.100,00/= plus 1 surety of a similar amount.

Dated and Delivered in Mombasa this 31st day of March 2010.

M. ODERO

JUDGE

Read in open court in the presence of:

Mr. Monda for state

Mr. Kadima for appellant

M. ODERO

JUDGE

31.3.2010