



**REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA  
AT NAIROBI (NAIROBI LAW COURTS)**

**Criminal Case 367 of 2009**

**REZX UOMO SHABMANI.....APPLICANT**

**VERSUS**

**REPUBLIC OF KENYA.....RESPONDENT**

**R U L I N G**

From record, the Applicant had earlier been charged for the offence of obtaining money by false pretences contrary to section 313 of the Penal Code, Cap 63, Laws of Kenya. The facts as stated in the information are as follows:

“On diverse dates between September 2008 and November 2008 at Nairobi City within Nairobi province, jointly with others not before court and with intent to defraud obtained from MR. CHANG WOO LEE a sum of US Dollars 43,179 by falsely pretending that you were in a position to sell him 20kgs of Gold, a fact you knew to be false.”

In his application dated 31<sup>st</sup> August, 2009, the Applicant has applied that the court be pleased to admit him to bail, with or without conditions. In response, the State, through Mr. Okeyo, State Counsel has not opposed the application. The learned counsel conceded that he is aware that the Applicant is a Congolese. In addition, he is also aware of the charges facing the Applicant. Since the State is not opposed to the application, the Applicant may be released on a Cash Bail of Kshs.500,000/- with a Kenyan Surety, to be approved by the Chief Magistrate based at the High Court (Central Registry).

Those are the orders of the Court.

**MUGA APONDI**

**JUDGE**

Ruling read signed and delivered in open court in the presence of:

Mr. Nyakundi for Okeyo for State

Mr. Mutai for Applicant

**MUGA APONDI**

**JUDGE**

**24<sup>TH</sup> SEPTEMBER 2009**