

(From Original Conviction and Sentence in Criminal Case No. 250 of 2008 of the Chief Magistrate's Court at Mombasa: L. Mutende – S.P.M.)

ISAIAH ONYANGO OPANDE APPELLANT

VERSUS

REPUBLIC RESPONDENT

RULING OF THE COURT

Before me is the Appellant's application for Bail pending Appeal dated 10th June 2009. The Appellant has already filed an appeal against his conviction and sentence by the learned Senior Principal Magistrate in her judgement delivered on 25th February 2009. I have carefully perused the supporting affidavit of Mrs. Marie Olande dated 10th June 2009. I have also carefully considered the submissions made by learned counsel Mr. Wabwoto in support of this present application. I note that the same is not opposed by the State. I am satisfied that the present application has merit and I do hereby allow the same. The Appellant may be released on a bond of Kshs.500,000/- plus 1 surety of like sum.

Dated and Delivered in Mombasa this 16th day of October 2009.

M. ODERO

JUDGE

Read in open court in the presence of:

Mr. Wabwoto for Appellant

M. ODERO

JUDGE

16/10/2009