



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI**

**CRIMINAL DIVISION**

**CRIMINAL APPLICATION NO.674 OF 2004**

**(In the matter of an intended appeal)**  
**Between**

**JOSEPH MBINDA NTHIWA.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

The applicant had filed this application seeking orders for bail pending the hearing of his appeal. But he applies to have the same withdrawn since he has been given a date for the hearing of his appeal. But further he applies for orders that his appeals No.95 of 2003, No.96 of 2003 and No. 97 of 2003 be consolidated. Since the said appeal files have not been availed to me, I am unable to grant the orders sought.

The applicant will make the application for consolidation before the Judge who will hear this appeal. It is so ordered.

Dated and delivered this 15th February, 2004.

**J.L.A. OSIEMO**

**JUDGE**