



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**ÁT NAKURU**  
**CRIMINAL APPLICATION NO.51 OF 2003**

**PETER KIUME KAIRU.....APPLICANT**  
**VERSUS**  
**REPUBLIC.....RESPONDENT**

**R U L I N G**

The applicant has applied for bond pending appeal. He has given only one ground to his application that he was hypertensive and was unable to get appropriate treatment.

The State has opposed the application.

I have considered the application and grounds given. Nothing has been produced to this court to show that the applicant has any condition of hypertension as he has alleged. He brought no document whatsoever to show he has been treated for the condition. Nothing has been produced to show the severity of it or the inability to get adequate treatment.

I see no basis upon which to exercise my discretion in deciding whether or not to grant the application.

I find applicant made mere allegations that he was hypertensive and that he could not receive adequate treatment while in prison.

I find no grounds upon which to grant the bond pending appeal.

The application is refused.

**JESSIE LESIIT**

**JUDGE**

Read, signed and delivered this 9th day of July, 2003.

In presence of Mr. Mutuku for State

Applicant present in person.

**JESSIE LESIIT**

**JUDGE**