

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL APPLICATION NO. 110 OF 2002

IN THE MATTER OF: AN APPLICATION BY OMAR OSMAN ISSA

ON BEHALF OF JENANI ABUSHEIKH

AND

IN THE MATTER OF: THE CRIMINAL PROCEDURE

(DIRECTIONS IN THE NATURE OF HABEAS CORPUS) RULES

AND

IN THE MATTER OF AN APPLICATION FOR AN ORDER OF

HABEAS AND SUBJICIENDUM

BETWEEN

THE REPUBLIC EXPARTE JELANI ABUSHEIKH APPLICANT

VERSUS

THE COMMISSIONER OF POLICE through the HON. THE ATTORNEY GENERAL

THE MOSSAD

THE FEDERAL BEREAU OF INVESTIGATIONS (FBI)RESPONDENTS

RULING

I have Perused the Application and The Affidavit in support of it. I do order the First Respondent through the Attorney General to appear in Court on Wednesday 18th December 2002 at 11.00 a.m. to show cause why Jelani Abusheikh should not be produced in to the court. As it is alleged that the Respondents are about to remove the same Jelani Abusheikh from the jurisdiction, I also make interim orders in terms of prayers (vi) and (vii) till the matter is heard inter-partes on 18.12.2002 at 11.00 a.m.

Dated at Mombasa this 16th December 2002.

J.W. ONYANGO OTIENO

JUDGE