

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL APPEAL NO.1477 OF 2000

**(FROM ORIGINAL CONVICTION AND SENTENCE IN CRIMINAL
CASE NO.3776 OF 1999 OF PRINCIPAL MAGISTRATE'S COURT
AT KIAMBU)**

**LEONARD NJOROGE MBUGUA APPELLANT
VERSUS
REPUBLIC RESPONDENT**

RULING

LEONARD NJOROGE MBUGUA (the appellant) was released on bond of Shs.2000 on 14.2.2001 pending the hearing and determination of this appeal. His application for bail pending appeal, being Misc. Cr. Application No.92 of 2001, was supported by the applicant of his advocate Mr. Richard Kimani Charagu, who swore at paragraph 7 thereof as follows:-

“7.That the applicant resides in Kiambu and is unlikely to absent and is also prepared to furnish any security that this court may impose”

The appellant has now absconded, a warrant of Arrest has been issued but he cannot be traced. Mr. Charagu Advocate, whose affidavit supported the application for bail, is duty bound to produce his client before this court. For this purpose he is given fourteen days from today to do so. I will therefore adjourn this appeal to the 20th June, 2001 for hearing at 9.00 a.m. I also direct a warrant of arrest to re-issue as against the appellant.

This ruling be typed, certified and be served upon M/s Kimani Charagu & Co. Advocates of Kiambu by Principal Deputy Registrar for compliance.

**It is so ordered.
A.G.A. ETYANG'
JUDGE
6.6.2001**