



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MOMBASA**

**APPELLATE SIDE**

**CRIMINAL APPEAL NO.590 OF 2000**

**(From Original Conviction and Sentence in Criminal Case No.3363 of 2000 of the Chief**

**Magistrate's Court at Mombasa –H. Njiru, Esq., - S.R.M.)**

**STEPHEN MUSILI KILONZO.....APPELLANT  
=V E R S U S=  
REPUBLIC.....RESPONDENT**

**R U L I N G**

This application by way of Notice of Motion seeks orders that the Applicant be released on bail pending the hearing and determination of his appeal. The application is supported by sworn Affidavit of the Applicant. The main ground of this application is that the Applicant's appeal has high chances of success.

I have considered the application as well as the Affidavit in support and the submissions by both counsel for the Applicant and the Learned State Counsel and it cannot be said that this application lacks in merit. I allow it and order that the Applicant be released on his own bond of Kshs.500,000/- with two sureties of similar amount.

**Dated and delivered at Mombaa this 3rd day of October, 2001.**

**J.L.A. OSIEMO**

**J U D G E**