



Patel v Director of Public Prosecutions & 2 others (Miscellaneous Criminal Application 104 of 2024) [2024] KEHC 3215 (KLR) (5 April 2024) (Ruling)

Neutral citation: [2024] KEHC 3215 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
MISCELLANEOUS CRIMINAL APPLICATION 104 OF 2024
DR KAVEDZA, J
APRIL 5, 2024**

BETWEEN

DEVESHKUMAR BHUPENDRABHAI PATEL APPLICANT

AND

DIRECTOR OF PUBLIC PROSECUTIONS 1ST RESPONDENT

INSPECTOR GENERAL OF POLICE 2ND RESPONDENT

DIRECTORATE OF CRIMINAL INVESTIGATIONS 3RD RESPONDENT

RULING

1. I have considered the Notice of Motion application dated 5th April 2024 filed under certificate of urgency, the supporting affidavit of Daniel Kimani Kanyagia, advocate for the applicant and the annexures thereto, in which the applicant seeks anticipatory bail, and issue order as follows:
 - i. The application is certified urgent.
 - ii. The applicant is admitted to anticipatory bail in the sum of Kenya Shillings One Hundred Thousand (Kshs. 100,000) to be deposited to the Officer Commanding Station (OCS), Muthaiga Police Station or the Investigating Officer.
 - iii. For the avoidance of doubt, the respondents are at liberty to investigate or charge the applicant for any Criminal Conduct. However, they shall not arrest or detain him in view of orders (ii) above or until further orders of the court.
 - iv. The applicant's advocate is directed to escort the applicant to the offices of the 3rd respondent for questioning and or interrogation on Monday, 8th April 2024 at 11:00AM.



- v. Upon conclusion of investigations, the DPP (1st respondent) is at liberty to present any charge against the applicant; and the Investigating officer shall accordingly notify the applicant to appear before the relevant court for plea.
- vi. Upon arraignment, the orders of this court shall automatically lapse, and the trial court will be at liberty to set new terms of bail.
- vii. There shall be no further mention of this matter unless the orders of the court are disobeyed.

File closed.

RULING DELIVERED IN THE ABSENCE OF THE PARTIES ON THE 5TH DAY OF APRIL 2024.

D. KAVEDZA

JUDGE

