



REPUBLIC OF KENYA



**Kanyi v Republic (Criminal Appeal E083 of 2022)
[2023] KEHC 521 (KLR) (2 February 2023) (Ruling)**

Neutral citation: [2023] KEHC 521 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL APPEAL E083 OF 2022
A. ONG'INJO, J
FEBRUARY 2, 2023**

BETWEEN

JAMES KANYORO KANYI APPELLANT

AND

REPUBLIC RESPONDENT

RULING

1. The appellant was charged in Shanzu CMC Sexual Offence Case No 116 of 2020 for which he was convicted & sentenced to serve 10 years in prison. He has preferred the appeal herein and by application dated October 14, 2022 he seeks to be released on bail pending appeal.
2. The application is supported by the affidavit of the applicant and directions were given granting leave to the respondent to file response but none was filed. The court also gave directions for filing of submissions but only the applicant's counsel filed on December 2, 2022. As it stands the application dated October 14, 2022 is not opposed and the same in consideration of this court is allowed.
3. The appellant may be released on bond of Kshs 100,000/= with surety of similar amount on condition that he prosecutes his appeal expeditiously. Mention on March 1, 2023 to confirm record of appeal availed by Deputy Registrar from lower court.

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 2ND DAY OF FEBRUARY 2023

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Ogwel- Court Assistant

Appellant – Present in person



Mr. Ngiri for State

Mr. Kamau Advocate for Appellant

