



**Peter & 2 others v Republic (Miscellaneous Criminal Case E227 of 2023)
[2023] KEHC 18713 (KLR) (Crim) (21 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 18713 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
MISCELLANEOUS CRIMINAL CASE E227 OF 2023**

DR KAVEDZA, J

JUNE 21, 2023

BETWEEN

CLINTON KANGETHE PETER 1ST APPLICANT

STEPHEN AGESA MALUNDA 2ND APPLICANT

ELVIS KIRIGA KATUU 3RD APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have gone through the Notice of Motion dated June 15, 2023 and the supporting affidavits of the applicants of even date seeking the following orders, *inter alia*:
 1. That the court be pleased to vary or set aside the bond orders made by the trial court on December 28, 2021 and admit the applicants to bail or bond on reasonable and affordable terms.
 2. That the court do set aside the order made by the trial court on June 5, 2023 to the effect that Probation Officer's report pertaining to bail variation be availed on November 9, 2023.
 3. That the court be pleased to direct that the trial proceeds before any other Magistrate at Makadara Law Courts other than Hon Okwani.
2. Having considered the application, I hereby issue the following orders:
 - a. That this matter is certified as urgent.
 - b. That the lower court file be availed untyped on or before 30/6/2023.



- c. That the application and order of this court be served upon the State within three (3) days.
- d. That upon service the State shall file a response on or before 28/6/2023.
- e. That this matter be mentioned on 30/6/2023 for directions.

RULING DATED DELIVERED VIRTUALLY THIS 21ST DAY OF JUNE 2023.

D. KAVEDZA
JUDGE

