



REPUBLIC OF KENYA



**Elija & 2 others v Republic (Criminal Appeal E196 of 2023)  
[2023] KEHC 20102 (KLR) (Crim) (18 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20102 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
CRIMINAL  
CRIMINAL APPEAL E196 OF 2023  
DR KAVEDZA, J  
JULY 18, 2023**

**BETWEEN**

**FANUEL MURUNDO ELIJA ..... 1<sup>ST</sup> APPLICANT  
PATRICK MURIUKI KARUGA ..... 2<sup>ND</sup> APPLICANT  
DENISON NDUNG’U MWAURA ..... 3<sup>RD</sup> APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. I have gone through the Notice of Motion application dated July 11, 2023 filed under certificate of urgency and the supporting affidavit of Stanley Kang’ahi, advocate of the applicant, of even date seeking orders, *inter alia*, that the applicants be admitted to bail pending hearing and determination of the appeal, and issue the following orders:
  1. That the matter is certified urgent.
  2. That the application and order of this court be served upon the respondent within 7 days and not later than 25/7/2023.
  3. That upon service, the respondent to file a response within 14 days, and not later than 2/8/2023.
  4. That the lower court file to be typed within 60 days and the same to be transmitted to the High Court not later than 20/9/2023.
  5. That this matter be mentioned on 26/9/2023 for directions.



Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 18TH DAY OF JULY 2023.**

.....

**D. KAVEDZA**

**JUDGE**

