



**Wasike v Republic (Criminal Appeal E175 of 2023)
[2023] KEHC 19759 (KLR) (Crim) (11 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 19759 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CRIMINAL
CRIMINAL APPEAL E175 OF 2023
DR KAVEDZA, J
JULY 11, 2023**

BETWEEN

BATHOLOMEW WAFULA WASIKE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

- 1 I have gone through the notice of motion application dated June 27, 2023 filed under certificate of urgency and the supporting affidavit of Julius Nyakiangana, advocate of the applicant, of even date seeking orders, *inter alia*, that the applicant be admitted to reasonable bail pending the hearing and determination of his appeal.
- 2 The applicant avers that he is likely to serve a substantial part of his sentence before the appeal is heard and determined. However, I note from the record that the applicant was sentenced to serve life imprisonment. He is therefore unlikely to serve a substantial term of his sentence before the appeal is determined.

I therefore issue the following orders:

1. That the matter is not certified as urgent.
2. That the application and order of this court be served upon the respondent within 7 days and not later than July 18, 2023.
3. That upon service, the respondent to file a response within 14 days, and not later than August 2, 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 September 19, 2023.



5. That this matter be mentioned on September 26, 2023 for directions.

Orders accordingly.

Ruling dated and delivered virtually this 11th day of JULY 2023.

D. KAVEDZA

JUDGE

