

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CRIMINAL CASE NO. 71 OF 2020

SOLOMON NDIRANGU MWANGI.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

The accused SOLOMON NDIRANGU MWANGI (the applicant) has filed this application dated 17.6.2020 seeking a revision of the terms of bail imposed herein by the court. That the bond of Ksh.2 million granted is excessive in the circumstances. It was submitted that the family of the applicant are of meagre means and have failed to secure the terms of bond set.

Counsel for the state opposed this application that the applicant must show any change in the circumstances as to warrant revision of the terms of bond, which they have failed to do. She maintained that it is not for the defence to tell the court what terms to set.

I have considered the submissions of both sides. Following the substantive applications for bail by the applicant, which was opposed by the prosecutions sides, this court made a ruling in favour of the applicant. In considering the circumstances of this case, the court granted the applicant a bond of Ksh.2million with 1 surety of a similar amount. The only change that has happened in this matter is that majority of witnesses have already testified. It is on this basis that I find it prudent to revise the terms of bond set herein. I allow this application and order that the applicant may now be released on a bond of Ksh.1million 1 surety of a similar amount.

D. O. OGEMBO

JUDGE

17.7.2020

Court:

Ruling read out in open court in the presence of Mr. Mokaya for accused and Mr. Kibathi for the state.

D. O. OGEMBO

JUDGE

17.7.2020