

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CRIMINAL DIVISION

CR. REVISION NO. 841 OF 2018

JOSEPH KATUA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

I have considered the respective submissions. I have taken note of the Applicant's old age which mitigates leniency in bail terms. Upon interrogating him, I have concluded that he comes from a very economically challenged background and affording bond/bail will subject him to a lot of agony and fatigue. Since he has a friend who is ready to ensure that he attends court at all times, I hold that this is a case in which a personal bond/bail should suffice.

I accordingly set aside the bond/bail terms granted to the Applicant at trial. I hereby admit him to a personal bond of Kshs. 50,000/= with one surety of a similar amount. The surety must be one Pius Mutanga Makau. Personal particulars (assessment of surety) shall be done by the trial court.

DATED and DELIVERED this 13th day of **March, 2019**

G.W. NGENYE-MACHARIA

JUDGE