

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KIAMBU

CRIMINAL APPLICATION NO. 51 OF 2018

1. SILA MAWEU

2. JOSEPH WACHIRA KINYUA..... APPLICANTS

VERSUS

REPUBLIC RESPONDENT

DIRECTIONS ON BAIL AND PROVISION OF STATEMENTS OF WITNESSES AND MATERIAL EVIDENCE BEFORE THE TRIAL

The court has considered the record of the lower court. There is no evidence that the Applicants have applied for the reduction of bail terms before the trial court nor is there evidence that they have brought to the attention of the trial court, the fact that they have not been given witness statements and copies of material evidence that the prosecution intends to rely on. The Applicants have however confirmed that they are now being tried before a different court and therefore withdrawn the prayer for the transfer of their case. In the circumstances I direct that the Accused persons be produced before the current trial court on 12th April 2019 so that they can apply for the reduction of bail terms and supply of witness statements as well as evidentiary material. The Applicants are at liberty to lodge a fresh application to this court upon the determination of their application to the trial court.

DELIVERED AND SIGNED AT KIAMBU THIS 9TH DAY APRIL OF 2019

C. MEOLI

JUDGE

Delivered in the presence of:-

The Applicants

Ms Ndombi for the DPP

Court Clerk – Nancy/Kevin