



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MERU**

**CRIMINAL APPEAL NO 2 OF 2019**

**JACOB MUGAMBI GAICHU.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

1. Before me is the Application for bond made on 6<sup>th</sup> February 2019. I have considered the application and the grounds thereof. I have also taken into consideration the Pre-bail Report.

**Flight Risk**

2. The accused person herein has no fixed abode and his family did not know of his whereabouts since the year 2015. Absconding from his family is a red flag that the accused may abscond. One other important detail; the accused lived with his wife and daughter in some place which his family members never knew about. Even as at now, no information or reliable information has been provided to ascertain where he resides. His family members and that of the victim acknowledge that the accused person herein is a flight risk and none of them is prepared to take the responsibility of ensuring his attendance in court for his trial. .

3. The foregoing recapitulation of relevant points justifies a conclusion that the accused is a flight-risk.

4. In the upshot, I am satisfied that the accused is a flight-risk and his attendance in court cannot be guaranteed by any amount of sureties. This is a compelling reason to deny the accused bond. Accordingly, the application for bail is rejected.

**Dated, Signed and delivered in open court this 4<sup>th</sup> June, 2019**

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**F. GIKONYO**

**JUDGE**

IN PRESENCE OF

Chelule for state

Igweta for accused – M/s Materi holding brief  
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**F. GIKONYO**

**JUDGE**