



**REPUBLIC OF KENYA**

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

**CRIMINAL DIVISION**

**CRIMINAL REVISION NO. 297 OF 2018**

**SAMUEL UCHE.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

It has been said and ruled over and over again that the purpose of bond is so as to ensure an accused avails himself in court when required to do so. When an accused is not a Kenyan, as in the present case, the court must be cautious so that he does not leave the jurisdiction of the court. At the same time, the terms of bond must not be so stringent as to be tantamount to a denial of bond.

In balancing all these factors, I vary my order of 8/11/2017 issued in Misc. Cr. Application No. 286/2017 as follows:

- a) The applicant shall be released on a bond of Kshs. 1,000,000/= with two sureties of a similar amount to be assessed by the trial court.
- b) Other terms of the order remain unchanged; that is, his passport must remain in custody of the trial court. He shall be reporting to the investigating officer twice a month on days to be agreed between him and the investigating officer. He must not leave the country unless with the express permission of the trial court. The sureties must be Kenyans.

**Dated and Delivered in this 11<sup>th</sup> Day of June, 2018**

**G.W. NGENYE-MACHARIA**

**JUDGE**

**In the presence of:**

1. Applicant in person
2. Mr. Momanyi for the Respondent