

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

MISC APPLICATION NO. 15 OF 2017

PETER MIRINGO MBARIRE APPLICANT

VERSUS

REPUBLIC RESPONDENT

RULING

The applicant **PETER MURINGO MBARIRE** has through his advocate '**MR. SIAGE**' applied to be released on bail pending appeal. The application was opposed by the learned State Counsel.

I have perused the record of the trial before the lower court. I am mindful of the fact that the court is not at this stage being asked to determine the merit or otherwise of his appeal.

The applicant having been convicted by a court of competent jurisdiction can no longer claim the constitutional right to bail in the same way that as suspect facing trial could do.

I have considered the application for bail pending appeal. I am not persuaded that the same is merited. I therefore decline to grant bail at this stage.

Ms Chemngetich for applicant.

Maureen A. Odera

Judge

21/7/2017