

REPUBLIC OF KENYA
IN THE COURT OF APPEAL OF KENYA PEAL AT NAIROBI

Criminal Appeal 3 of 1995

MARTIN M. ODHIAMBOAPPLICANT

AND

REPUBLICRESPONDENT

**(Application for variation of bond terms in an intended appeal from the ruling of the High Court of
Kenya at Nakuru (Justice Ondeyo) dated 31st May, 1995**

IN

H. C. MISC. APPL. NO. 113 OF 1995)

RULING OF THE COURT

The applicant has applied under rule 5(2) (a) for review of the bond granted by the High Court on the ground that the conditions of the bail are onerous.

But the applicant being already on bail, he cannot again apply for bail. Furthermore, the applicant has not for obvious reasons set out in his notice of appeal as required by r. 58, the conviction against which he has appealed. Finally. There can be no appeal to this court against the granting of bail. The application is hereby dismissed.

Dated and delivered at Nairobi this 31st July, 1995.

A.M. COCKAR

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CHIEF JUSTICE