



**MM & 7 others v Republic (Criminal Appeal E013 of 2025)
[2025] KEHC 14502 (KLR) (14 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14502 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT LODWAR
CRIMINAL APPEAL E013 OF 2025
PJO OTIENO, J
OCTOBER 14, 2025**

BETWEEN

**MM 1ST APPLICANT
KM 2ND APPLICANT
AD 3RD APPLICANT
EB 4TH APPLICANT
GB 5TH APPLICANT
NA 6TH APPLICANT
JD 7TH APPLICANT
AM 8TH APPLICANT**

AND

REPUBLIC RESPONDENT

RULING

1. The court has perused the Notice of Motion seeking bail pending appeal and proceedings giving rise to the appeal. The court while not wholly persuaded that the appeal has overwhelming chances of success equally appreciates that the convicts are young persons and minors some of whom are due to sit end of year internal school examinations yet others are candidates for the National examinations.
2. It is equally appreciated that the appellants are refugees who were all along in custody and no special guarantee exists that if granted bond terms they will honour same. In fact, their counsel told the court as much when she proposed that the applicants be given cash bail as they may not raise sureties.



3. Having weighed all the circumstances, the order that commends itself to the court to meet the ends and interests of justice is that the prison authorities make every arrangement that would facilitate the candidates to be present at the examination centres on time and be availed necessary facilities to sit the examinations, whether national or school based.
4. The above order paves way for the appeal to be progressed towards closure. Let the counsel for the appellant compile and file a record of appeal as well as submissions within 14 days from today so that the ODPP equally files submissions within 14 days after service.
5. Mention on 11th November, 2025 for further directions

DATED, SIGNED AND DELIVERED VIRTUALLY THIS 14TH DAY OF OCTOBER, 2025.

PATRICK J O OTIENO

JUDGE

