



Khan v Director of Criminal Investigations & 2 others (Miscellaneous Criminal Application E082 of 2024) [2025] KEHC 3485 (KLR) (24 March 2025) (Ruling)

Neutral citation: [2025] KEHC 3485 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
MISCELLANEOUS CRIMINAL APPLICATION E082 OF 2024**

PN GICHOHI, J

MARCH 24, 2025

**IN THE MATTER OF APPLICATION FOR ANTICIPATORY BAIL UNDER
ARTICLE 22,25,28,47 (2) 40(1) 165(3) AND 244C OF THE CONSTITUTIONAL
OF KENYA AND SECTION 123 OF THE CRIMINAL PROCEDURE CODE**

BETWEEN

AARIFA BEGUM KHAN APPLICANT

AND

DIRECTOR OF CRIMINAL INVESTIGATIONS 1ST RESPONDENT

INSPECTOR GENERAL OF POLICE 2ND RESPONDENT

DIRECTOR OF PUBLIC PROSECUTION 3RD RESPONDENT

RULING

1. The letter dated 6/3/2025 from Steve O. Kabita Advocate for the Applicant has been noted. It seeks release of anticipatory bond of Ksh.100,000/=.
2. Further, the Court has called for the Lower Court file being MCCR E2608 of 2024 showing that the Accused persons therein Fathima Aamrim and Aarifa Begum Khan took plea before the trial Court on 4/12/2024 and each was released on a bond of Ksh.1,000,000/= with a surety of similar amount or a cash bail of Ksh.200,000/=.
3. The trial Court record shows that the two accused persons deposited their respective cash bail of Ksh.200,000/= on 3rd December, 2024.
4. The purpose of the cash bail of Ksh.100,000/= issued by this Court was to ensure that the Applicant Aarifa Begum Khan attended the offices of the Respondents as and when required for purposes of investigations in the matter.



5. It has now been confirmed from the Court record that the said anticipatory bond has served its purposes.
6. In the circumstances, there is no justification of the continuous holding of the same.
7. For that reason, the cash bail of Ksh.100,000/= deposited in Court in that regard be and is hereby ordered to be released to the depositor.
8. The Lower Court file returned to Chief Magistrate's Court.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 24TH DAY OF MARCH, 2025.

PATRICIA GICHOHI

JUDGE

In Chambers

