



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI

CRIMINAL APPEAL NO.64 OF 2017

STEPHEN MWANIKI MURIUKI.....APPELLANT/APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

On 15th February 2018 I delivered a ruling on the appellant's application for bail pending appeal. In my ruling I noted the paucity of information on the appellant's background, family, community ties, the victim of his crime etc. in the Pre-Bail Report filed on 20th November 2017. I set out the gaps in the ruling and directed that a further detailed Pre-Bail Report be filed before I could issue final orders.

I have perused the Pre-Bail Report filed on 22nd March 2018. It clearly sets out the appellant/applicant's background, home information, family, community ties. The views of the victim are well captured. More importantly the family is ready to stand surety for him and ensure that he comes to court as and when required. The background check confirms he is not a flight risk and the victim of his crime may even benefit from the appellant/applicant being out on bond.

I have taken into consideration all the relevant factors.

I make the following orders:-

- 1) The application for bail pending appeal is allowed.
- 2) The appellant/applicant be released on bond of Ksh. 500,000/= with one surety of a similar amount. In addition, the appellant/applicant to deposit a recent full photo of himself and copy of his National Identity card.
- 3) In the event of being released the appellant to inform the Probation Officer of his address if there is change.
- 4) The Deputy Registrar to approve the surety and give the necessary directions on mentions.
- 5) A mention date be fixed in the registry for directions on the hearing of the appeal.

Dated, delivered and signed in open court at Nyeri this 17th April 2018.

MUMBUA T. MATHEKA

JUDGE

In the Presence of;

Court Assistant: A. Atelu

Appellant/ applicant present

Mr. Njue for state no appearance (left)

Ms. Waikwa holding brief for Mr. Gori for the applicant.

MUMBUA T. MATHEKA

JUDGE



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