



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT VOI**

**CRIMINAL DIVISION**

**CRIMINAL APPEAL NO. E046 OF 2021**

**SAMUEL MUHIA WAIRIMU.....APPELLANT**

**-VERSUS-**

**REPUBLIC.....RESPONDENT**

*(An appeal from the judgment of Hon. C. Kithinji Principal Magistrate, delivered on 30<sup>th</sup> day of November, 2021 in Voi Magistrate's Court Sexual Offences Case No. E006 of 2020).*

**RULING**

1. The Appellant Samuel Muhia Wairimu filed application dated 1<sup>st</sup> December 2021 seeking that he be released on bond pending hearing and determination of his appeal.
2. Although the Respondent didn't file a response, I have considered the grounds of appeal, judgment of the trial court as well as Appellants submissions and found that this court is not satisfied that the appeal has likelihood of success. In the circumstances the application is dismissed.
3. Mention – 27/01/2022 for directions. Deputy Registrar to avail lower court file.

**Dated, signed and delivered by email this 13<sup>th</sup> day of January 2022.**

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

In the presence of:

Court Assistant - Ogwel

Advocate for Appellant – Mr. Mwazighe

Advocate for Respondent – Ms. Kambaga hold brief for Mr. Mulamula.

Court: To be transmitted by email to Voi Court.

Hon. Lady Justice A. Ong'ingo

Judge



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