

IN THE HIGH COURT OF FIJI

AT SUVA

MISCELLANEOUS JURISDICTION

MISCELLANEOUS CASE NO. HAM 179 OF 2014S

BETWEEN

KIN HO LO

APPLICANT

AND

THE STATE

RESPONDENT

Counsels : Mr. G. O'Driscoll for Applicant  
Ms. J. Prasad for Respondent  
Hearing : 28 October, 2014  
Ruling : 30 November, 2014  
Written Reason: 30 December, 2015

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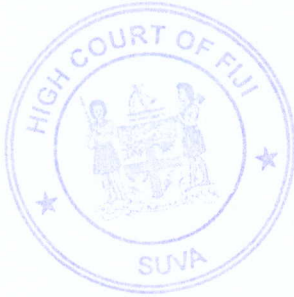
### WRITTEN REASONS FOR DENYING BAIL

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1. On 14 October 2014, the applicant applied for bail by filing a notice of motion and an affidavit in support. I heard the parties on 28 October 2014. The prosecution relied on the High Court Criminal Appeal Judgment HAA 019 of 2014S dated 26 August 2014 and the Suva Magistrate Court Bail Ruling in Miscellaneous Case No. 1 of 2014, dated 15 September 2014. The prosecution objected to bail.
2. The prosecution argued there was no change in circumstances for grant of bail. They also filed an affidavit in reply objecting to bail on 27 October 2014. They said, the applicant was a flight risk. On 30 October 2014, I dismissed the applicant's bail application. I said, I would give my written reasons later.
3. My reasons were as follows. There was really no change in circumstances for the applicant to be granted bail. Furthermore, the applicant, as a result of my judgment in Miscellaneous Case No. HAM 199 of 2014S dated 16 March 2015, had been extradited to the United States of

America, to faces charges there. The details of the charges were mentioned in HAM 199 of 2014S.

4. This file is now formally closed, and to be filed away.



**Salesi Temo**

**JUDGE**

Solicitor for Applicant	:	O'Driscoll and Co., Barrister and Solicitor, Suva.
Solicitor for Respondent	:	Office of the Director of Public Prosecution, Suva.