



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 28 May 2015

Status: Immediate

ALLAN WAYNE BANGER v THE STATE

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

1. The appellant was convicted and sentenced in the regional court. He obtained leave to appeal to the High Court against conviction and sentence and was released on bail pending the outcome of the appeal. Upon dismissal of this appeal, the appellant applied to the High Court for bail pending an application for special leave to appeal to the Supreme Court of Appeal (SCA) against the dismissal of the appeal against conviction and sentence.
2. The appellant did not apply to the High Court for leave to appeal against the refusal of bail but noted an appeal to the SCA in the belief that he had an automatic right of appeal. Today the SCA held that no appeal against the refusal of bail by a High Court sitting as a court of first instance lies without leave to appeal in terms of the Superior Courts Act 10 of 2013. It accordingly struck the matter from the roll.

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