



REPUBLIC OF KENYA



**Republic v Mwiti (Criminal Case 41 of 2015)  
[2023] KEHC 409 (KLR) (30 January 2023) (Ruling)**

Neutral citation: [2023] KEHC 409 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
CRIMINAL CASE 41 OF 2015  
EM MURIITHI, J  
JANUARY 30, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**JOHN MWITI ..... ACCUSED**

**RULING**

1. The accused person is charged with the offence of murder contrary to section 203 as read with section 204 of the *Penal Code*. The accused person pleaded not guilty to the charge and the matter proceeded to trial, and the prosecution called 6 witnesses to prove the charge.
2. As required under section 306 of the *Criminal Procedure Code*, the court has considered whether there is evidence that the accused person committed the offence, and it is scheduled to deliver its decision shortly, the delay whereof is occasioned by need to type the record of proceedings of the court.
3. Having considered the evidence presented by the prosecution, and taking into account that the accused has been in pre-trial detention since May 18, 2015 although granted a bail bond of ksh 500,000/- with one surety of the same amount, the court in discretion reviews those bond terms to a bond of Ksh 50,000/- with one surety pending delivery of the ruling on case to answer on February 23, 2023.

Order accordingly.

**DATED AND DELIVERED ON THIS 30TH DAY OF JANUARY, 2023.**

**EDWARD M. MURIITHI**

**JUDGE**

Appearances

Ms. B. Nandwa Prosecution Counsel for the DPP.



Mr. Igweta, Advocate for the Accused.

