



REPUBLIC OF KENYA



**Republic v Kebwaro & 5 others (Criminal Case E039. E040. E041, E042 of 2022) [2023] KEHC 207 (KLR) (25 January 2023) (Ruling)**

Neutral citation: [2023] KEHC 207 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL CASE E039. E040. E041, E042 OF 2022  
HK CHEMITEI, J  
JANUARY 25, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**EVANS MICHORI KEBWARO ..... 1<sup>ST</sup> ACCUSED**

**KEVIN OMONDI OTIENO ..... 2<sup>ND</sup> ACCUSED**

**JOSPHAT SIMIYU JUMA ..... 3<sup>RD</sup> ACCUSED**

**JULIUS OMONDI OTIENO ..... 4<sup>TH</sup> ACCUSED**

**DENNIS ALUSIOLA MMBOLO ..... 5<sup>TH</sup> ACCUSED**

**ISAAC KINYANJUI NGANGA ..... 6<sup>TH</sup> ACCUSED**

**RULING**

1. The accused persons were all charged with the offence of Murder contrary to section 203 as read with section 204 of the *Penal code*. The victims were Beatrice Akinyi Odhiambo, Grace Wanjiku Kariuki, Diana Opicho, and Susan Wambui Ngige.
2. When the matter came up for plea all the accused persons denied the charge and were placed in custody. They applied for bond which was vehemently opposed by the prosecution vide the affidavit of Inspector Peter Kamau sworn on August 2, 2022. The deponent has given the background of the incidents and the collective linkages to the accused.
3. The court directed that pre bail reports be prepared in respect of each of them. The reports were submitted and are on record and this court has perused the same.
4. Save for 5<sup>th</sup> and 6<sup>th</sup> accused persons all the rest of the accused were classified in the reports to be potential risk flights.



5. The court having taken cognisance of the comprehensive reports by the probation officers, is of the considered opinion that although the accused persons have the constitutional right of bail or bond, the wider interest of justice must be considered.
6. At the same time this court takes into consideration the real dangers the accused may find themselves from the members of the public if they are released.
7. In the premises the prayers for bail made by the 1<sup>st</sup> accused Evans Michori Kebwaro, 2<sup>nd</sup> accused Kevin Omondi Otieno, 3<sup>rd</sup> accused Josphat Simiyu Juma, and 4<sup>th</sup> accused Julius Omondi Otieno are hereby denied. The same may be considered at a later date.
8. The 5<sup>th</sup> accused Dennis Alusiola Mmbolo and the 6<sup>th</sup> accused Isaac Kinyanjui Nganga are each released on a bond of kshs. 2,000,000 each with a surety of similar amount. Upon their release they should not interfere with the prosecution witnesses or at all and each one of them should report to the DCI Nakuru County every 30<sup>th</sup> day of each month till their matter is finalised and or further orders of this court.
9. As indicated above these files for purposes of this application for bond only have been consolidated.
10. Orders accordingly.

**DATED SIGNED AND DELIVERED VIA VIDEO LINK THIS 25<sup>TH</sup> DAY OF JANUARY 2023.**

**H. K. CHEMITEI**

**JUDGE**

