



**Republic v Muchiri & 6 others (Criminal Case E011 of 2023)
[2023] KEHC 20975 (KLR) (31 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20975 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAHURURU
CRIMINAL CASE E011 OF 2023
CM KARIUKI, J
JULY 31, 2023**

BETWEEN

REPUBLIC PROSECUTOR

AND

**CHRISTOPHER KANYI MUCHIRI 1ST ACCUSED
DAVID WANYIRI GIKARIA 2ND ACCUSED
PAUL KANGÚRU KARIMI 3RD ACCUSED
PETER KAMAU KINYUA 4TH ACCUSED
SIMON NGUYO NDIANGÚI 5TH ACCUSED
PETER NDUNG’U NDERITU 6TH ACCUSED
DAVID MAINA 7TH ACCUSED**

RULING

1. The accused persons have been charged with three (3) Counts of the offense of Murder contrary to section 203 as read with section 204 of [Penal Code](#) Cap 63.
2. They are alleged to have Murdered Suleiman Wachira Muriithi, Peter Kiama Maina, and Peter Ngotho Maina on March 8, 2023 at Kabage Location Laikipia West Sub-County Laikipia County.
3. They appeared in court for a plea, and all pleaded not guilty, and their Advocates sought the court to release them on bond/bail on favorable terms.
4. The Prosecution opposed the application and relied on Probation Bail Report (PBR) for each accused.
5. I have perused the Probation Bail Report (PBR) and the background of the incident in which three (3) lives were lost in a lynching act by allegedly accused persons and others not in court.



6. Generally, the accused persons are said to be capable of abiding by the bond terms and are not a flight risk.
7. There is an element of bitterness and tension from the victim's family members as the memories are very fresh in the community's mind, especially those who witnessed the incident, family members, and those who saw the remains of the victims' bodies.
8. The accused person's security is not guaranteed if released on bond as passions remain high. Thus, the court will differ on the grant of bond issue until a future date when the Probation Officer and the Investigating Officer will assure the court of the situation change on the ground.
9. Thus, for now, the accused person will remain in custody till further orders of the court.
10. There will be liberty to apply for a review of the grant of the bail application.
11. Orders accordingly.

DATED, SIGNED, AND DELIVERED AT NYAHURURU ON THIS 31ST DAY OF JULY 2023.

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CHARLES KARIUKI

JUDGE

