

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT BOMET

CRIMINAL CASE NO.E017 OF 2021

REPUBLIC.....PROSECUTOR

VERSUS

GILBERT KOSKEI.....ACCUSED

RULING

1. Gilbert Koskei (Accused) is facing trial for the murder of one Kipkirui Arap Chepkwony whom he is alleged to have murdered on 8th September, 2021 at Chemamul Village, within township location in Bomet County.

2. The accused took plea on 23rd September,2021 and denied the charge. His defence Counsel asked for a probation officer's Bail assessment report to aid in his bail application and the setting of appropriate bond terms by the court. The report was duly filed on 11th November,2021.

3. The application was urged on 22nd March, 2022. Mr. Leteipa asked the court to grant reasonable bond terms as there were no compelling reasons to warrant denial of bail. Mr. Muriithi for the state submitted that the report was favourable to the accused and left the matter to the discretion of the court.

4. I have considered the application. Both the defence and prosecution have not shown the court any compelling reason to deny the applicant bond. The probation report further states that the deceased in the case was the accused's father but that the family was not opposed to his release or bail.

5. There being no compelling reason, I grant the applicant bail on the following conditions: -

- (i) The accused shall execute a personal bond of Kshs. 300,000/= and provide two sureties of similar amount.
- (ii) He shall keep the peace and not commit any other offence or intimidate witnesses directly or indirectly.
- (iii) He shall attend court whenever required.

6. Orders accordingly

RULING DELIVERED, DATED AND SIGNED AT BOMET THIS 29TH DAY OF MARCH, 2022.

.....

R. LAGAT-KORIR

JUDGE

RULING DELIVERED IN THE PRESENCE OF MR. MURIITHI FOR THE STATE, MR. LETEIPA HOLDING BRIEF FOR MR. MEREBU FOR THE ACCUSED AND KIPROTICH (COURT ASSISTANT)