



**Republic v Macharia (Criminal Case E048 of 2021)  
[2022] KEHC 3337 (KLR) (30 June 2022) (Ruling)**

Neutral citation: [2022] KEHC 3337 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
CRIMINAL CASE E048 OF 2021  
MM KASANGO, J  
JUNE 30, 2022**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**JOSEPH MWANGI MACHARIA ..... ACCUSED**

**RULING**

1. The accused, Joseph Mwangi Macharia Is facing a charge of murder. On the charge being read out to the accused, he pleaded not guilty.
2. Accused has applied to be released on pre-trial/bond. His application was not opposed by the State.
3. The accused is married with two children. His wife does not engage in gainful employment. Accused is therefore the sole bread winner of that household.
4. The main object of granting pretrial bond/bail is to ensure the accused does attend trial.
5. *The Constitution* protects accused person's presumption of innocence and right to bail. The right to bail however is not absolute for an accused can be denied bail if there are compelling reasons not to grant. There are no compelling reasons brought to the attention of the court by the State and accordingly, the prayer of the accused will be granted.
6. I order Joseph Mwangi Macharia to be released pending his trial on his own bond of Kshs.500,000 and two sureties of similar amount.

***RULING DATED and DELIVERED at KIAMBU this 30<sup>th</sup> day of JUNE, 2022.***

**MARY KASANGO**

**JUDGE**

Coram:



Court Assistant : Mourice

Accused : Joseph Mwangi Macharia : -N/A

For accused : - James Mururi

For DPP : Mr. Kasyoka

***Ruling** delivered virtually.*

**MARY KASANGO**

**JUDGE**

