



**Director of Public Prosecutions v Maero (Criminal Case E011 & E012 of 2022  
(Consolidated)) [2022] KEHC 16921 (KLR) (23 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16921 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KAKAMEGA  
CRIMINAL CASE E011 & E012 OF 2022 (CONSOLIDATED)  
WM MUSYOKA, J  
DECEMBER 23, 2022**

**BETWEEN**

**DIRECTOR OF PUBLIC PROSECUTIONS ..... REPUBLIC**

**AND**

**FERINE PINQUETT MAERO ..... ACCUSED**

**RULING**

1. On September 23, 2022, in a ruling delivered on that date, I directed that a fresh pre-bail report be done on the accused herein. That was done. A pre-bail report was filed herein on October 31, 2022. I heard arguments on its contents, on November 1, 2022, from Ms Kagai for the republic, Dr Malala for the family of the victims, and Mr Kituyi for the accused.
2. I have read through the report. It would appear to be generally favourable to the accused person, despite pointing out that her attitude was confrontational, and that she may not benefit in the long-run from being admitted to bond, on account of that.
3. I am alive to the fact that bond is a constitutional right, available to all offenders, regardless of the seriousness of the offence. It is to be granted at the discretion of the court. The only limitation is that it ought not be granted where compelling reasons exist.
4. I am conscious of the fact that the accused faces double murder charges. Much as the accused is entitled to presumption of innocence, and the right to bail, the seriousness of the charge cannot be taken for granted. The possibility of jumping bail, or interfering with witnesses, would be very real, in the circumstances. My inclination is to deny bail, and I accordingly do so.
5. I would direct that the hearing be fast-tracked. The republic should ensure that all the evidence marshalled against the accused is made available to her ahead of whatever date is going to be given for the hearing. It is so ordered.



**DELIVERED, DATED AND SIGNED IN OPEN COURT AT KAKAMEGA THIS 23<sup>RD</sup> DAY OF DECEMBER, 2022.**

**WM MUSYOKA**

**JUDGE**

Mr Erick Zalo, court assistant.

Ms Kagai, instructed by the Director of Public Prosecutions, for the republic.

Mr Kituyi, advocate for the accused person.

Dr Malala, advocate watching brief for the family of the victim.

