



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI**

**CRIMINAL DIVISION**

**CRIMINAL CASE NO.E027 OF 2021**

**LESIT J.**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**CYDE WANJIRU MURIMI.....ACCUSED**

**RULING ON BAIL APPLICATION**

1. The Accused, Cyde Wanjiru Murimi, has been charged with one count of **murder** contrary to **Section 203 as read with Section 204** of the **Penal Code**. The particulars of the offence are that:

**“Cyde Wanjiru Murimi: On 28<sup>th</sup> March, 2021 at Kambi Nari area in Ruai Township within Nairobi County murdered Simon Ndia Wambugu.”**

2. The accused pleaded not guilty to the charges. She made an oral application in court through her counsel, Mr. Odero, to be released on bail pending trial. Counsel for the accused urged this court to grant the accused reasonable bail terms.

3. The application to be released on bail was unopposed by the State. That means there are no compelling reasons known to the State to deny the accused bail.

4. I have considered the submissions by both parties. The release of accused on bail is unopposed.

5. **Article 49(1)(h)** of the **Constitution** provides that a person who has been arrested has a right to be released on bail or bond on reasonable conditions pending a charge or trial unless there are compelling reasons against release of such a person.

6. The accused is entitled to bail and I do not see any reason to decline the same. The accused is presumed innocent until the contrary is established by the court. From the committal bundle, it appears that the accused has a young son.

7. In the circumstances bail is therefore granted on the following terms;

**i. Accused may be released on deposit of Kshs.200,000/-;**

**ii. In the alternative, the accused may be released on a bond of Kshs.500,000 with one surety of the same amount.;**

**iii. The accused shall refrain from interfering with any of the witnesses, either directly or indirectly;**

**iv. The accused shall not commit any offence during the pendency of this trial;**

**v. She shall provide two contact persons, one of whom must be a close relative to secure her attendance before the trial court if she posts cash bail;**

**vi. She shall be required to attend court without fail as required by the court.**

**DATED AT NAIROBI THIS 27<sup>TH</sup> DAY OF APRIL, 2021.**

**LESIT, J.**

**JUDGE**

**DELIVERED THROUGH TEAMS ON 27<sup>TH</sup> APRIL, 2021.**

In the presence of:

Accused person

Ms. Ogweno for State

Ms. Odero for accused

**LESIT, J.**

**JUDGE**