



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

CRIMINAL CASE NUMBER 19 OF 2020

REPUBLIC.....ODPP

VERSUS

JOAN CHEPKOECH.....ACCUSED

R U L I N G

(REVIEW OF BOND)

1. The accused person herein was charged with **Murder c/ 203 as read with 204 of the Penal Code**. She was granted bond which was later reviewed to Kshs. 150,000/- with a surety of similar amount.
2. During the last mention the accused made a plea for further review of the bond terms as her relatives have been unable to raise even these bond terms. The Pre Bail Report indicates that she has very young children, she is not a flight risk, and that she may well not be able to raise that bond.
3. The report further indicates that she has an uncle who has a motorbike valued at Kshs. 70,000/= and is willing to stand surety for her by depositing the log book in court. Further that the family owns a piece of land of 0.7 acres where they live.
4. Bond terms should never be oppressive. Bail and Bond should serve to ensure that the accused person appears in court as and when required. I need not rehash the factors to be considered but at least the nature of the offence, the views of the victim and the circumstances of the accused. More importantly that the accused person will attend court as and when required till the determination of his case.
5. Taking the foregoing into consideration, and the nature of the offence, the bond is reviewed to Kshs. 100,000/= with surety of similar amount.
6. The uncle who has the motorbike may stand surety for her with the motorbike as security.
7. Her father will be the additional surety. He will only be required to avail a letter from the chief, confirming that they are indeed residents of that location, his full photograph and copy of his identity card.
8. The Deputy Registrar to assess the sureties accordingly.
9. Upon release and during the pendency of this case the accused not go to Kamwaura where the offence was committed.
10. Orders accordingly.

DATED, SIGNED AND DELIVERED VIA ZOOM THIS 30TH JUNE 2021.

MUMBUA T. MATHEKA

JUDGE

In the presence of:-

Court Assistant Edna

Ms. Murunga for state

Accused present

Counsel for accused Ms Ogange