

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT BOMET

CRIMINAL CASE NO. 11 OF 2018

REPUBLIC.....PROSECUTOR

VERSUS

PETER CHERUIYOT KOECH.....ACCUSED

RULING

1. The accused Peter Cheruiyot Koech is charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code CAP 63 laws of Kenya. The particulars of the offence are that on 27th day of June 2018 at Samituk Sub-location, Cheboin location within Bomet County murdered Robert Kipkoech Chemurwok.

2. The Accused was first arrested and charged in July 2018. His trial is on-going and at the tail end. When the matter came up for further hearing on 18th October 2021, Ms. Chemutai for the Accused urged the court to release the Accused on bond.

3. In urging the application, Counsel submitted that the bail assessment report was favourable. On his part Mr. Murithi for the State submitted that there were no compelling reasons to deny the Accused bail. He too relied on the probation report.

4. I have considered the application. The probation report indicate that the deceased in the case was the father of the Accused and that the family had come to terms with the loss of the family patriarch and were willing to accept the Accused back home.

5. There being no compelling reasons to warrant denial of bond, I allow the application.

6. The Accused is released on the following conditions:-

(i) The accused shall execute a personal bond of Kshs.300,000/= and provide 2 sureties of Kshs.300,000/= each.

(ii) He shall not interfere with witnesses in any way.

(iii) He shall attend court whenever required and shall not impede the trial in any way.

8. Orders accordingly.

RULING DELIVERED, DATED AND SIGNED THIS 21ST DAY OF OCTOBER, 2021.

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R. LAGAT-KORIR

JUDGE

Ruling delivered in the presence of the Accused, Defence Counsel Ms. Chemutai for the Accused, Mr. Murithi for the DPP, and Kiprotich (Court Assistant).