



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KIAMBU

CRIMINAL CASE NO. 8 OF 2020

BETWEEN

REPUBLIC PROSECUTOR

VERSUS

EKW alias ESUBJECT

RULING

1. **EKW alias E**, the subject, is 16 years old. She is charged with the offence of murder of **Joyce Nambuye deceased**. The deceased was 2 ½ years old at the time of her death. The subject pleaded not guilty. Her trial is scheduled to commence on 17th January 2022.
2. The court requested the Director of Children's services to make inquiry and report to the court on the whereabouts of the subject's parents.
3. The report filed before court has revealed that the parents of the subject are separated. The father resided in Busia while her mother resided in Trans-Nzoia.
4. I am called upon to determine whether the subject, currently at Kiambu Children's home, should be released on bond/bail pending her trial.
5. The alleged offence occurred in Kiambu County and the trial is pending before Kiambu High Court. My observation of the Director of Children's services report is that the subject may encounter difficulties in attending this trial since both of her parents reside far from the Kiambu County and it would seem they are of humble background. The subject in my view being well taken care of at the Kiambu Children's home will be more assured of attending her trial if she is within the Kiambu County.
6. Accordingly this court declines to grant bond/bail to the subject.
7. The trial is confirmed for hearing 17th and 18th January 2022. The subject shall be produced in court for the two days.

RULING DATED AND DELIVERED AT KIAMBU THIS 16TH DAY OF DECEMBER, 2021.

MARY KASANGO

JUDGE

C/A Mourice

Subject: EKW alias E

For Subject: Mr. Gachuba

For DPP: **Ms Kathambi/Mr. Kasyoka**

COURT

Ruling delivered virtually.

MARY KASANGO

JUDGE