



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KIAMBU

CRIMINAL CASE NO. E42 OF 2021

BETWEEN

REPUBLIC.....PROSECUTOR

VERSUS

STEPHEN MWITA MBUGUAACCUSED

RULING

1. **Stephen Mwita Mbugua** is charged with the offence of murder of **Patrick Chege Kinyanjui Deceased**. He pleaded not guilty. His trial is yet to commence. He has applied he be released from custody on bond/bail.

2. The probation pre-bail report reveals that the accused is a 40 years old father of three children. He previously worked as a driver of public service vehicle at Eastleigh. He lost that employed due to COVID -19 pandemic. He re-located at Gatundu-South sub county, Kiambu County where the alleged offence took place.

3. The accused's family is in support of his release. The community is also in favour of his release. The victim's family, since they are still bitter with the loss of their kin are not in favour of his release.

4. Having considered the probation pre-bail report and the submissions made before court and because there are no compelling reasons to deny accused bond/bail. I grant the following orders:

a. **Stephen Mwita Mbugua** is granted bond of Ksh.500,000 with one surety of similar amount on condition that he does not reside in Gatundu South Sub-County, Kiganjo Location Gaturia Maru Village during the pendency of this case.

b. At the reading of this Ruling a hearing date will be fixed.

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

MARY KASANGO

JUDGE

C/A Mourice

Subject: **Stephen Mwita Mbugua** - Present

For Subject: **Mr. Mwaura** - Present

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

COURT

Ruling delivered virtually

MARY KASANGO

JUDGE