

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT BOMET

CRIMINAL CASE NO.19 OF 2019

REPUBLIC.....PROSECUTOR

VERSUS

REGINA CHEPNGENO LANGAT.....ACCUSED

RULING

1. In this matter where the accused person stands charged with murder, counsel for the accused Mr. Koskei has made an oral application for bail. Mr. Murithi, the Principal Prosecuting Counsel has left the matter to the court for decision.

2. I note that a pre-bail report prepared by Ezekiel Lagat Probation Officer Bomet on 3/12/2019 was filed, in which it was recommended that the accused be granted bail as she has young children to care for.

3. Bail is a constitutional right as provided for under Article 49(1)(h) of the Constitution which states as follows -

“49 (1) an arrested person has the right –

(h) to be released on bond or bail, on reasonable conditions, pending charge or trial, unless there are compelling reasons not to be released”.

4. I note that the state does not oppose the release of the accused on bail. From the pre-bail report, there is no doubt that she has young dependent children, and that her family are willing to support her. In those circumstances, I see no compelling reason that would justify this court to deny the accused person herein his right to bail

5. I thus allow the application and order as follows–

1. The accused herein will be released on signing her own bond of Kshs.200,000/= with one surety of similar amount.
2. In the alternative, she will be released on payment of cash bail of Kshs.100,000/=.
3. She will not interfere with prosecution witnesses.
4. She will attend every mention of the case and the hearing until the case is finally determined.

Dated this 30th day of April 2020.

GEORGE DULU

JUDGE

Delivered through video conferencing in the presence of Mr. Langat court assistant, Mr. Musyoka ICT officer, Ms Fundi for state and the accused.