



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI**

**CRIMINAL CASE NO. 30 OF 2019**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**SIMON GITAU KARANJA.....1<sup>ST</sup> ACCUSED**

**DOMINIC OKOTH JOHN.....2<sup>ND</sup> ACCUSED**

**RULING**

Simon Gitau Karanja, 1<sup>st</sup> accused, and Dominic Okoth John, 2<sup>nd</sup> accused, are charged with the murder of Vallary Atieno Amenyi. The offence is alleged to have been committed on 11<sup>th</sup> day of April 2019 at City Carton area, Embakasi East Sub-county within Nairobi County. Each had pleaded not guilty to the charge.

They have applied to this court to be admitted to bail pending the hearing and determination of this case. The application for the 1<sup>st</sup> accused is dated 29<sup>th</sup> May 2019 while that of the 2<sup>nd</sup> accused is dated 28<sup>th</sup> May 2019. Simon states in the grounds in support of the application that he resides in Korogocho with his family; that he is the sole bread winner with a young family; that he runs a phone repair business; that he has cooperated with the police during investigations; that he does not know the family of the deceased and therefore there is no likelihood of interfering with the witnesses and that he is willing and ready to comply with the terms and conditions of bail this court will set. He urges this court to release him on reasonable bond terms.

On his part, Dominic states that he resides in Baba Dogo-Kariadudu Nairobi with his family; that he has cooperated with the police during investigations; that he does not know the family of the deceased and there is no likelihood of interfering with the witnesses and that he is willing to abide by the conditions of bail set by this court.

The prosecution did not oppose both applications.

I called for probation reports which I have read carefully. I find nothing adverse against the accused persons in those reports. There being no objection, I find that I have no reason to decline granting the two applications. I hereby allow the applications and admit each accused person to bail on the following terms and conditions:

- i. Each shall execute a bond of Kenya Shilling Nine Hundred Thousand (900,000) with a surety of similar amount.**
- ii. In the alternative each shall pay cash bail amounting to Kenya Shillings Four Hundred Thousand (400,000).**
- iii. The accused shall attend court without fail until this case is fully heard and determined.**
- iv. They shall not conduct themselves in a manner that may compromise the fair trial of this case.**

Orders shall issue accordingly.

**Dated, signed and delivered this 28<sup>th</sup> June 2019.**

**S. N. Mutuku**

**Judge**