

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CRIMINAL CASE NO. 33 OF 2019

REPUBLIC.....PROSECUTOR

VERSUS

MICHAEL THIONG'O KINYANJUI.....ACCUSED

RULING

By a Notice of Motion dated 17th June 2019 and filed on the same date, the accused seeks to be admitted to bail on reasonable terms pending the hearing and determination of this case. He is facing a charge of murder contrary to Section 203 as read with Section 204 of the Penal Code. The grounds in support of the application are found on the face of that application as well as in the supporting affidavit sworn by the accused on 17th June 2019. He states that he has a permanent at Umoja II Zone 9; that he will abide by the terms of the bond/bail; that he will present himself in court when required and that he will not interfere with witnesses.

The application is not opposed. The Prosecution Counsel told the court that after consultations with the Investigating Officer, she had no compelling reasons to oppose this application.

I have considered the application. Since it is not opposed, I have no reason to decline granting the same. I therefore allow the application for bail and admit the accused herein to bail/bond on the following terms:

- (i) He shall execute a bond of Kenya Shillings One Million (1,000,000) with one surety of similar amount.
- (ii) In the alternative to (i) above, the accused shall pay cash bail amounting to Kenya Shillings Four Hundred Thousand (400,000).
- (iii) He shall attend court at all times when required to do so.
- (v) He shall not act in any manner that may compromise the fair trial of this case.

Orders shall issue accordingly.

Dated, signed and delivered this 27th day of June 2019.

S. N. Mutuku

Judge