

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KERUGOYA

CRIMINAL MURDER NO. 11 OF 2019

JOHN KARIMI GACHOKI ...ACCUSED

VERSUS

REPUBLIC.....RESPONDENT

RULING

1. I have considered the application for bail. I find that bail is a Constitutional right which cannot be denied an accused unless there are compelling reasons.
2. I find that the prosecution has not proved any compelling reason to warrant the court to deny the accused bond/bail. Though the State had stated that the Security of the accused is at stake, the Probation Officers report has disapproved this. The report states that the social inquiry did not establish any critical factors which may prevent the accused from being granted bail. There is therefore no compelling reason.
3. I will therefore grant the accused bail. I order that the accused be released on a bond of Kshs 500,000/- plus one surety of Kshs 1,000,000/- to appear as and when required until further orders of this court.

Dated at Kerugoya this 28th day of November 2019.

L. W. GITARI

JUDGE