

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL CASE NO 81 OF 2019

REPUBLIC.....PROSECUTOR

VERSUS

JOSHUA KILERU MUNJURE..... ACCUSED

RULING

The accused Joshua Kileru Munjure is charged with the offence of murder contrary to section 203 as read with section 204 of Criminal Procedural Code particulars are that Joshua Kileru Munjure on the 30th day of September, 2019 at Muriri Market, Muthara Location in Tigania East Sub-County within Meru County murdered James Mutembei Mwongera.

Upon taking plea the accused applied to be released on reasonable bond terms but PC James Wanjohi by affidavit sworn on 5th November, 2019 objected to the accused persons release on bond for reasons the accused person escaped after committing the offence on 30th September, 2019 until on 12th October, 2019 when Ex-chief Julius of Muthara lured hom arrest. It was also averred that the accused was a dangerous man who always walks when armed and was having a pending case of injuring animals in Tigania CR. C. No/098 of 2019.

It was claimed that if released the accused may interfere with witness. The accused in Replying Affidavit sworn on 19th November, 2019 and said he had been in custody since 12h October, 2019 and there was no reason to continue holding him. He said his continued remand is harassment by the police and that there are no compelling reasons to deny him his constitutional rights under Article 49(1) (h) of the constitution. He said that he has relatives who were ready to stand surety and guarantee he attendance in court.

This court called for Pre-bail Report which findings are favourable for release of accused person on bond. In the circumstances accused may be released on bond of Kshs.1,000,000 with one surety of a similar amount.

HON. A. ONG'INJO

JUDGE

28/11/2019