



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KERICHO**

**CRIMINAL CASE NO.23 OF 2015**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**PETER KIPRONO RONO *alias* BII.....ACCUSED**

**RULING**

1. Before me is an application brought by way of Notice of Motion filed by counsel M/s Sang & Associates on behalf of the accused person dated 1<sup>st</sup> December 2017 for bail pending trial.

2. The application has been filed under Article 49 (1) (h) and 51 of the Constitution of Kenya 2010, and is supported by an affidavit sworn by the accused Peter Kiprono Rono *alias* Bii on 1<sup>st</sup> December 2017 in which it is deponed that the accused is a man of reasonable conduct and not a flight risk.

3. The Probation Officer, Kericho, Redempta Koech also filed a pre-bail report dated 28/10/2019 recommending that the accused may be released on bail, as he has a fixed abode and the family of the deceased does not object to him being released on bond.

4. Mr. Sang for the accused person also orally urged the court to release the accused person on bail on reasonable terms. Mr. Ayodo for the State on perusing the pre-bail report informed the court that the State were not opposing bail, but that strict conditions be imposed as the accused stands charged with a serious offence.

5. I have considered the applications and the submissions of counsel for the accused person and the State.

6. Under Article 49 (1) (h) of the Constitution of Kenya 2010, every arrested person has a right to be released on reasonable bail terms unless there exist compelling reasons to deny such bail.

7. The State does not oppose bail, and I have not myself seen any compelling reasons to justify denial of bail to the accused person.

8. I thus allow the application and order as follows-

**1) The accused will be released on signing bond of Kshs.300,000/- with one surety of similar amount.**

**2) In the alternative, he will be released on payment of cash bail of Kshs.200,000/-.**

**3) He will not interfere with prosecution witnesses.**

**4) He will attend all mentions of the case and the hearing until the case is finalized.**

Dated and delivered at Kericho this 20<sup>th</sup> day of December 2019.

**George Dulu**

**JUDGE**