

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KERUGOYA

MURDER CRIMINAL CASE NO. 7 OF 2018

REPUBLIC.....PROSECUTOR

V E R S U S

CECILIA MAITHA NYAGA.....ACCUSED

RULING

I have considered the application for bail. The state did not oppose the application. **Article 49 of the Constitution** guarantees an accused person right to bail. The right can only be denied if the prosecution satisfies the court that there are compelling reasons not to grant bail. The prosecution through the prosecutions counsel Mr. Ombiri informed the court that he had consulted the Investigating Officer and was instructed that there was no objection to bail as upon such terms as the court would deem necessary. The court should therefore allow the application and release the accused person on bail pending trial.

In considering the bail, the court notes that the offence though bailable is serious and bail terms must be such that they will secure the attendance of the accused in court to stand trial upto its logical conclusion. I order that the accused be released on a bond of Kshs 5,000,000/- plus two sureties of Kshs 2,000,000/- each. To appear in court as and when required.

Dated and delivered at Kerugoya this 26th day of July 2018.

L. W. GITARI

JUDGE

26/7/2018

Read out in open court, accused present.

Mr. Njagi for him,

Mr. Ombiri for the state.

C/C:- Naomi