

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

CRIMINAL MURDER NO. 08 OF 2016

REPUBLIC.....PROSECUTOR

VERSUS

DICKSON GEKONGE..... ACCUSED

RULING

1. The accused person herein DICKSON GEKONGE is charged with the offence of murder contrary to **Section 203** as read with section **204** of the **Penal Code**.
2. The particulars of the offence are that on the night of 4th and 5th March, 2016 at Amabuko Sub-location in Masaba South Sub-County within Kisii County jointly with others not before the court murdered **HENRY MAKORI NYANCHAMA**.
3. On 14th **March, 2016**, the accused pleaded not guilty to the said charge and is now awaiting his trial. The accused, through his advocate Mr. Bigogo, applied to be released on bond pending his trial, pursuant to the provisions of Article 49 (1) (h) of the Constitution.
4. The Prosecution did not oppose he accused's application for bond. Consequently, I hereby allow the accused's application for bond and order that he may be released on his own personal bond of Kshs. 500,000/= with one surety of a similar amount.
5. Upon his release, the accused shall be required to attend court without fail whenever he is required to do so.
6. In default of any one appearance without any justifiable cause the bond shall be cancelled and the surety called to account.

Delivered, dated and signed in at Kisii on **30th** day of **March**, 2016.

W.A. OKWANY

JUDGE

In the presence of:

- Mochama for the State
- Moseti for Okemwa for the Accused
- Omwoyo court clerk