



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**

**AT KISII**

**CRIMINAL MURDER NO. 54 OF 2015**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**1. ISACK OLANG ONSERIO.....1<sup>ST</sup> ACCUSED**

**2. HEZRON OUMA KARANI.....2<sup>ND</sup> ACCUSED**

**RULING**

1. The 2 accused persons herein **ISACK OLANG ONSERIO** and **HEZRON AUMA KARANI** are charged with one count of murder contrary to **Section 203** as read with **Section 204** of the **Penal Code**.

It is alleged that on 14<sup>th</sup> November, 2015 at Magenche Location in Kenyenyee Sub-County within Kisii County jointly murdered **QUINNE NYABOKE**.

2. The accused persons pleaded not guilty to the said charge on 3<sup>rd</sup> December, 2015 and are currently awaiting their trial. They have now, through their advocate Mr. Okemwa applied to be released on bond pending their trial.

3. Mr. Otieno for the state informed the court that he had no compelling reasons why the accused cannot be released on bond.

4. Needless to say, under **Article 49 (1) (h)** of the **Constitution**, every arrested person is entitled to be released on bond except where there are compelling reasons to deny them bond.

5. In view of the above, I allow the accused's application for bond in the following terms:

a. Each accused person may be released upon executing their own personal bond of **Kshs. 500,000/=** with each providing 2 sureties of a similar amount.

*b. Once on bond, they shall appear in court whenever they are required to do so by the Honourable Court until the case is heard and determined or until further orders of this Honourable Court.*

*c. In default of (2) above, the bond shall be cancelled immediately and the sureties taken to account.*

Delivered, dated and signed in at Kisii on **24<sup>th</sup>** day of **March**, 2016.

**W.A. OKWANY**

**JUDGE**

**In the presence of:**

Mr. Otieno for prosecutor

Mr. Okenwa for accused

Mr. Omwoyo – Court Clerk