



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KISII
CRIMINAL CASE NO. 10 OF 2016

REPUBLIC.....PROSECUTOR

VERSUS

CAROLINE ONTUNE.....ACCUSED

RULING

1. The accused person herein **CAROLINE ONTUNE**, is charged with the offence of murder contrary to **Section 203** as read with **Section 204 of the Penal Code**. It is alleged that on the night of 11th April, 2016, at Iyabe Location in Kisii South District within Kisii County, the accused murdered **MEVIA MORAA**.
2. The accused pleaded not guilty to the charge and is currently awaiting her trial.
3. The accused has, through her Lawyer Mr. Bigogo, applied to be released on bond pending her trial.
4. Mr. Otieno, counsel for the state, intimated to the court that there were no compelling reasons to warrant the accused being denied bond as envisaged under Article 49 (1) (h) of the Constitution.
5. In view of the fact that the accused's application for bond was not opposed by the state, I hereby allow he said application in the following terms:
 - a. *The accused may be released on her own personal bond of Kshs. 500,000/= with one (1) surety of a similar amount.*
 - b. *Once she is released on bond, she shall appear in court whenever she is 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 **30th** day of **May**, 2016.

W.A. OKWANY

JUDGE

In the presence of:

- Otieno for the State
- Mr. Magara for Bigogo for the Accused

- Omwoyo court clerk