



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NANYUKI
CRIMINAL CASE NO. 16 OF 2016

REPUBLIC PROSECUTOR

VERSUS

PETER LEKUPE ACCUSED

RULING

1. **PETER LEKUPE** in this matter is charged with the offence of **murder contrary to section 203 as read with Section 204 of the Penal Code Cap 63**. He pleaded not guilty to the charge and is awaiting trial. He now seeks that he be released on bail pending trial.
2. The probation office has provided a pre bail report which is favourable to the accused being released on bail pending trial. In that report it reflects that the accused has a fixed abode, has no prior criminal record and the community where he comes from, including the deceased family, do not object to his release on bail.
3. Since Article 49(1)(h) only restricts the release on bail of accused person where there are compelling reasons not to release such a person and because in this case there are no such compelling reasons I do grant the accused **bond of Kshs.500,000 with two sureties of similar amount**. The Deputy Registrar at the time of approving sureties shall require that a letter be presented from the Maralal chief, William Lesamana, confirming that the accused resides within his jurisdiction.

DATED AND DELIVERED THIS 30TH DAY OF NOVEMBER 2016.

MARY KASANGO

JUDGE

CORAM:

Before Justice Mary Kasango

Court Assistant

Accused: Peter Lekupe

For accused:

For the State:

COURT

Ruling delivered in open court.

MARY KASANGO

JUDGE