



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
CRIMINAL CASE NO. 79 OF 2012

REPUBLIC.....RESPONDENT

VERSUS

- 1.NO.58556 SGT. ALBERT NJIRU.....1ST APPLICANT**
- 2.NO.91232 P.C. ELIJAH KIMOI.....2ND APPLICANT**
- 3.NO.85385 JOB JAMES WERU.....3RD APPLICANT**
- 4.NO.77499 P.C. DANIEL PAKAR MATUNGE.....4TH APPLICANT**
- 5.NO.86231 P.C. STEPHEN ARIGA..... 5TH APPLICANT**
- 6.NO.83103 P.C. KENNEDY OMINDE.....6TH APPLICANT**

R U L I N G

The application before me is a review application by all six accused persons seeking to be released on bail. In the ruling dated 20th March 2014 the court denied the applicants bail after considering that the civilian witnesses may be intimidated and/or interfered with by the accused. The court also held after considering the circumstances of the case that the interests of justice in the case would be served by fast tracking the trial to conclusion. The present application has been argued on the ground that all the civilian witnesses have now testified.

I have carefully considered the application. The record shows that all civilian witnesses have testified in this matter. Indeed all witnesses have testified and the court, after considering the evidence on record, has found that the accused have a case to answer. Such a finding is not a determination on the guilt of the accused. However, I consider that the circumstances in this case have changed; and, although an accused person may be granted bail at any stage of the proceedings, the interests of justice in this case shall be served by fast tracking the case to conclusion.

The review application is thus dismissed.

Orders accordingly.

Ruling delivered, dated and signed at Nairobi this 24th day of February, 2015

R. LAGAT - KORIR

JUDGE

In the presence of:-

1st, 2nd, 3rd, 4th & 5th Applicants

-: Court clerk
-: For the 1st accused/applicant
-: For the 2nd accused/applicant
-: For the 3rd accused/applicant
-: For the 4th accused/applicant
-: For the 5th accused/applicant
-: For the 6th accused/applicant
-: For the State/respondent