



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KISII**

**CRIMINAL CASE NO. 6 OF 2014**

**REPUBLIC ..... PROSECUTOR**

**VERSUS**

**DERICK MAKORI SIMION ..... ACCUSED**

**RULING**

1. Bail is now a constitutional right of every accused person and can only be denied upon compelling reason being advanced by the State.
2. The State through Mr. Majale has offered no compelling reason to deny the accused bond.
3. The pre-bond report requested by this court is also in favour of the accused being released on bond.
4. I would therefore allow the application for bond pending trial upon the following terms:-
  - a. *Bond of Kshs.500,000/= with three (3) sureties of similar amount.*
  - b. *The accused person to attend mention before the D/R of this court once after every 30 days with the first such mention being 20/4/2015 and thereafter at dates to be given by the said D/R.*
  - c. *The accused person shall not leave the jurisdiction of this court during the period of trial without written consent of his Area Chief which consent must be filed in court and approved by the D/R before any such travel.*

**Dated and signed at Kisii this 18<sup>th</sup> day of March 2015.**

**J. WAKIAGA**

**JUDGE**

**18/3/2015**

In the presence of:-

Mr. Majale for the State

Mr. Okenye for the Accused

Accused present