

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA T MURANG'A

CRIMINAL CASE NO 24 OF 2014

REPUBLIC.....PROSECUTOR

VERSUS

1. SIMON NGOTHO MUCHINA

2. GEORGE MURAYA.....ACCUSED

RULING

1. The Accused persons, **Simon Ngoto Muchina** and **George Muraya**, are jointly charged with **murder** contrary to **section 203 as read with section 204** of the Penal Code. They were arraigned in court on 25th September 2014. Their plea was taken on 06/10/2014; they pleaded not guilty and are awaiting trial which is scheduled for 18/06/2015. They have in the meantime applied to be admitted to bail by **notice of motion dated 16/12/2014**. The Republic has not opposed the application. Nevertheless I have perused the copies of the “committal bundle” supplied to the court and the Accused persons by the prosecution.

2. Bail is now a constitutional right for all offences, and will be denied only for **compelling** reasons. See **Article 49(1) (h)** of the **Constitution of Kenya, 2010**.

3. I find no compelling reason to deny the Accused persons bail. They will each be admitted to bail upon their own cognizance in the sum of KShs 100,000/00 and one surety in like sum. It is so ordered,

DATED AT MURANG'A THIS 14TH DAY OF MAY 2015

H. P. G. WAWERU

JUDGE

DELIVERED AT MURANG'A THIS 14TH DAY OF MAY, 2015.