



**IN THE HIGH COURT OF KENYA**

**AT MURANG'A**

**CRIMINAL CASE NO 34 OF 2014**

**REPUBLIC ..... PROSECUTOR**

**VERSUS**

**WILSON MUNGAI MUHONGE.....ACCUSED**

**RULING**

1. This is an application for bail pending trial (**notice of motion dated 17/02/2015**).The Accused **Wilson Mungai Muhonge** is charged with **murder** contrary to **section 203** as read with **section 204** of the **Penal Code**. It is alleged that on 20/09/2014 at about 8.00 p.m. at Athena Estate within Makongeni area in Kiambu County, he murdered one **Milka Waithera Mungai**. He pleaded not guilty; his trial is scheduled to start on 16<sup>th</sup> June 2015.

2. Bail is a constitutional right for any offence. It will be denied only for **compelling reason**. Any conditions imposed for bail must be reasonable. For all these see **Article 49(1) (h)** of the **Constitution of Kenya, 2010**.

3. The Republic has not opposed the Accused's release on bail. I have read the witness statements supplied to the court and the Accused by the Republic. I find no compelling reason to deny the Accused bail.

4. In the event I will allow the application. The Accused shall be released pending his trial on his own cognizance in the sum of KShs 100,000/00 plus one surety in like sum. It is so ordered.

**DATED AND SIGNED AT MURANG'A THIS 16<sup>TH</sup> DAY OF JUNE 2015**

**H P G WAWERU**

**JUDGE**

**DELIVERED AT MURANG'A THIS 19<sup>TH</sup> DAY OF JUNE 2015**