



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT KISII**  
**CRIMINAL CASE NO.88 OF 2014**  
**REPUBLIC**  
**VERSUS**  
**JAMES ONCHORE MOKEMA.....ACCUSED**  
**RULING**

1. On 23<sup>rd</sup> June 2015 counsel for the accused person, one Bigogo applied that the earlier order for bond which was rejected be reviewed, this time favourable.
  2. The said earlier order was delivered on 15<sup>th</sup> December 2014. In that order the court ruled as follows:

**“The prosecutor’s affidavit filed on 3<sup>rd</sup> December 2014 indicated that the accused was likely to interfere with the witnesses, that one witness Richard Okongo Oroni had already been approached by people claiming to have been sent by the accused to ask him to change the testimony or fail to turn up to testify. Therefore the prosecution believed that the applicant will interfere with evidence to be tendered against his leading to miscarriage of justice. Further that the temptation to abscond or go into hiding if released on bail pending trial was real.”**
  3. Accordingly, bond was denied to the accused person by the court. The pre-bail assessment report filed on 14<sup>th</sup> November 2014 was however, favourable to the accused person.
  4. This time around, the court will accord the accused person his constitutional right, the right to be released on reasonable condition.
- Accordingly, therefore, the accused is hereby released on a personal bond of **Ksh.1,000,000/=** with two sureties of similar amount; the same to be approved by the Deputy Registrar of this honourable court.
5. He is expected to attend court for mention of his case every month until the hearing and determination of his case, or until further court orders. The first mention to be on 31<sup>st</sup> August 2015.
  6. Any one default, the bond will be cancelled immediately and forthwith and the sureties made to account.
  7. It is so ordered.

**Dated, signed and delivered in open court this 31<sup>st</sup> day of July, 2015**

**HON. C. B. NAGILLAH**

**JUDGE**

**In the presence of:**

- Mrs. Sapeke for State
- M/S Ombui holding for Bigogo Accused
- Samuel Omuga: Court Clerk.