

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MURANG'A

CRIMINAL CASE NO 37 OF 2014

REPUBLIC.....PROSECUTOR

VERSUS

ANASTACIA NDUNGE GITAU.....ACCUSED

RULING

1. The Accused **Anastasia Ndunge Gitau** is charged with **murder** contrary to **section 203 as read with section 204** of the **Penal Code**. It is alleged in the information dated 30/12/2014 that on 31/07/2014 at about 4.00 p.m. at Karuhiu Village within Murang'a County she murdered one **Nancy Njeri Kuria**. On 10/03/2015 she pleaded not guilty to the charge. Her trial is scheduled to commence on 24/11/2015. She has in the meantime applied by **notice of motion dated 23/04/2015** to be admitted to bail pending her trial. The Republic does not oppose the application.

2. Bail pending trial is now a constitutional right that will be denied only for **compelling reason**; and conditions for such bail must be reasonable. See **Article 49(1) (h)** of the **Constitution of Kenya, 2010**. I have perused the witness statements supplied to the Accused and the court by the prosecution. I find no compelling reason to deny the Accused bail.

3. I will in the event allow the application. The Accused shall be admitted to bail upon her own cognizance in the sum of KShs 100,000/00 plus one surety of like sum. It is so ordered.

DATED, SIGNED AT MURANG'A THIS 23RD DAY OF 2015

H P G WAWERU

JUDGE

DELIVERED AT MURANG'A THIS 24TH DAY OF JULY 2015