



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KERICHO

CRIMINAL CASE NO. 3 OF 2015

REPUBLIC.....PROSECUTOR

VS

DOMINIC KIRUI KIPROTICH.....1ST ACCUSED

VICTOR CHERUIYOT YEGON-----2ND ACCUSED

RULING

The Accused/Applicants filed the Notice of Motion dated 5th June 2015 seeking to be released on bond pending the hearing of this case.

- They have brought the application under **Article 49 (1) (h)** of the **Constitution**. The Application is supported by the Grounds, accused's affidavits & further affidavits by their fathers.
- The State has not filed any response to the Application. It has also submitted that it does not oppose the Application.
- I therefore find that there are no compelling reasons raised to make this Court to deny the accused persons released on bond as enshrined in the Constitution.
- I therefore grant each accused a bond of Shs.250,000/= with a surety in similar sum.
- If released on bond the Deputy Registrar must give the accused mention dates. Otherwise there shall be a mention on 15/10/15 for fixing a hearing date.

Remanded in custody.

Dated, Signed and Delivered in open Court this 23rd day of July, 2015.

H.I. ONG'UDI

JUDGE

In the presence of:

M/s Kivali for state.

Mr. Mutai Julius for accused – present.

Both accused – Present in person.

Hillary/Robert Cheruiyot – Court Assistants.

Interpreters: English/Kipsigis.