



**IN THE HIGH COURT OF KENYA AT MURANG'A**

**CRIMINAL CASE NO 15 OF 2015**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**ANN WANGARI MWANGI.....ACCUSED**

**R U L I N G**

1. The Accused **Ann Wangari Mwangi** is charged with *murder* contrary to **section 203 as read with section 204** of the *Penal Code*. It is alleged in the information dated 19/03/2015 that on 07/03/2015 in Gatanga Sub-County within Murang'a County she murdered one **Stephen Kamau Mwangi**. On 20/05/2015 she pleaded not guilty to the charge. Her trial is scheduled for 28/09/2015. In the meantime she has sought by **notice of motion dated 02/06/2015** to be admitted to bail pending trial. That application is the subject of this ruling. The Republic has no objection to the application.

2. Bail pending trial is now a constitutional right for any offence, and will be denied only for compelling reason; and any condition for such bail must be reasonable. See **Article 49(1) (h)** of the *Constitution of Kenya, 2010*.

3. I have read the witness statements and other documents provided to the Accused and to the court by the prosecution. I do not find any compelling reason to deny the Accused bail.

4. In the circumstances the Accused shall be admitted to bail upon her own cognizance in the sum of KShs 100,000/00 plus one surety in like sum pending her trial. It is so ordered.

**DATED AND SIGNED AT MURANG'A THIS 6<sup>TH</sup> DAY OF AUGUST 2015**

**H P G WAWERU**

**JUDGE**

**DELIVERED AT MURANG'A THIS 6<sup>TH</sup> DAY OF AUGUST 2015**