



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MERU
CRIMINAL CASE NO. 90 OF 2014

REPUBLIC.....PROSECUTOR

V E R S U S

SAMWEL MWANGI KIHARA 1ST ACCUSED
SAMWEL MWITI IKABA 2ND ACCUSED
LINUS MUTISO KALUNGE 3RD ACCUSED
ROGERS GITONGA KINYUA4TH ACCUSED

RULING

Rodgers Gitonga Kinyua is jointly charged with three others for the offence of murder contrary to **Section 203** as read with **Section 204 of the Penal Code**. By an application dated 4/11/2015, he seeks to be released on bond pending the hearing of this case. The other three were already granted bond because the prosecution did not object to their release.

Similarly, in this case there was no objection to accused’s release on bond. The court called for a pre-bail report and the same is favourable to his release. Accused 4 is said to have a fixed abode, is generally of good character and apart from one brother of the deceased, the community is not hostile towards his release. There being no compelling reason to deny the accused person bond, I hereby grant him bond on the following terms:

Accused may be released on his own bond of KShs.250,000/= plus one surety of like sum. He is warned that he must attend court as will be required of him; he should not interfere with witnesses; and has to be of good conduct during the pendency of this case.

DATED, SIGNED AND DELIVERED THIS 15TH DAY OF DECEMBER, 2015.

R.P.V. WENDOH

JUDGE

15/12/2015

PRESENT

Mr. Mulochi for State

Ms. Thiberu for accused

Ibrahim/Peninah, Court Assistants