



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**

**AT KISII**

**CRIMINAL CASE NO.56 OF 2015**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**STEPHEN PARSOLOI SIRE.....ACCUSED**

**RULING**

1. The accused person herein **STEPHENE PARSOLOI SIRE** is charged with the offence of **Murder** contrary to **Section 203** as read with **Section 204 of the Penal Code**.

The particulars of the offence are that on 3<sup>rd</sup> July 2015 within Ilpashire Village in Transmara West Sub-County in Narok County, murdered **WILLIAM NGADO SIRE**.

2. The accused pleaded not guilty to the charge and is awaiting his trial. After taking his plea, the accused person, through his advocate Mr. Odhiambo Kanyangi, applied to be released on bond pending his trial in line with the provisions of **Article 49(1) (h)** of the **Constitution** which provides that every arrested person is entitled to be released on bond on reasonable terms except where there are compelling reasons for not granting the accused bond.

3. In the instant case the prosecution through Mr. Otieno State Counsel, did not object bond while stating that the State did not have any compelling reasons as to why the accused should not be released on bond.

4. The court then called for the Probation Officer's pre-bail assessment report in order to satisfy itself that the accused person was not only capable of meeting and complying the bond terms if granted bond, but was also suitable to be released on bond pending trial. Indeed, the Probation Officer filed his report in court on 11<sup>th</sup> December 2015 which report favoured the release of the accused on bond.

5. In view of the above facts, I hereby, allow the accused person's application for bond in the following terms:

a. **The accused may be released upon executing his own personal bond of Kshs.500,000/= with two (2) sureties of a similar amount.**

b. **The sureties shall be approved by the Deputy Registrar of this court.**

c. **Upon his release, he shall attend court for mention once every 30 days until the hearing and determination of his case or until further orders of this court.**

d. In the event of default of No. (c) above without any justifiable cause, the bond shall be cancelled forthwith and the sureties called to account.

e. The first mention shall be on 20<sup>th</sup> January 2016.

Dated, signed and delivered in open court this 11<sup>th</sup> day of December, 2015

HON. W. OKWANY

JUDGE

**In the presence of:**

- Imbali for the State
- Odhiambo Kanyangi for the Accused
- Ogega: Court clerk