

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

CRIMINAL CASE NO. 6 OF 2014

REPUBLICPROSECUTOR

VERSUS

EDWIN KIPROTICH SANG.....ACCUSED

RULING

This is the application for bond/bail pending the hearing and determination of this case. Its brought under **Article 49(1) (h)** and not **49(10) (H)** of the **Constitution**. It is dated **10th November, 2014**.

Article 49(1) (h) provides:

“An arrested person has the right to be released on bond or bail on reasonable conditions, pending a charge or trial unless there are compelling reasons not to be released”

This case is part heard with four(4) witnesses having testified. There are only two (2) witnesses left. The State has confirmed that there are no compelling reasons to make them oppose the application. I am clear on the evidence so far adduced. I find no reason to make this court deny the accused an opportunity to conduct his case while out on bond. I allow the application. The accused may be released upon signing a bond of Shs. 150,000/- with a surety in similar sum.

Dated, signed and delivered this 28th day of November, 2014

H.I. ONG'UDI

JUDGE

In the presence of :

M/S Keli for State

Mr. Koskei for accused

Accused

Korir – Court Assistant