

REPUBLIC OF KENYA

High Court at Embu

Murder Case 4 of 2012

REPUBLIC.....PROSECUTION

VERSUS

ROWLAND BERNARD KARIUKI.....1ST ACCUSED

JUSTINE MBOGO NJIRU.....2ND ACCUSED

R U L I N G

The accused persons through their advocates applied for bond orally before this Court. Therefore there is no affidavit from any of the accused persons filed herein. The State through the investigating officer filed a replying affidavit opposing the release of 1st accused on bond. He states that 1st accused's life is in danger as the members of the public are baying for his blood.

The Court called for pre-bond reports on both accused persons which reports were filed by Mr. Masavi the District Probation Officer. In his report on 1st accused he clearly states that after interviewing members of the community he found that they were not ready to receive the 1st accused back just now. And that they had burnt his house and chased away his wife and children. This is a threatening scenario and it would not be safe to release 1st accused into the hands of people waiting to harm him. In the circumstances, I would temporarily decline to grant bail to the 1st accused. The application to be renewed after 6 months when we expect things to have cooled down. The District Probation Officer is therefore called upon to do another report after 6 months.

There are no issues touching on 2nd accused. He will be released on a bond of Shs.200,000/= with a surety in similar sum.

ADELIVERED, SIGNED AND DATED AT EMBU THIS 27TH DAY OF FEBRUARY, 2013.

H.I. ONG'UDI

JUDGE

In the presence of:-

Ms. Macharia for State

Mr. Ithiga for 2nd Accused

Njue CC