



**REPUBLIC OF KENYA**

**High Court at Meru**

**Criminal Case 2 of 2013**

**REPUBLIC..... PROSECUTOR**  
**VERSUS**

**ERICK KOOME MUTHAMIA.....ACCUSED**

**RULING**

The Accused faces a charge of murder contrary to section 203 as read with section 204 of the Penal Code. he has sought bail or bond pending trial through his counsel Mr. B. Gitonga. Counsel urged that the accused was a young man with a young family of a wife and three children. He urged that the accused had a fixed place of abode and that he had undertaken to abide by the terms of bond the court will give. He said that the deceased was related to the accused being his brother.

Mr. Mungai learned State Counsel in his brief statement said that the State was not opposing bail.

To enable the court make an informed ruling I called for a Pre-Bail Report which has since been filed. I have perused the Report. It has demonstrated that the Community where the accused comes from and lives, and his own family were in agreement that the accused has been a person of good behavior and therefore none of them opposed the accused being considered for bail.

The State has not opposed the application even though the reason fact was not mentioned.

Having considered this Application I find no compelling reason why the accused should not be released on bail.

In the result I will allow the application for bail and order accused release on the following terms.

- 1. Accused to sign a bond of Ksh.200,000/-**
- 2. Accused to provide one surety to sign bond for him in the sums of Ksh.200,000/- in addition to one above.**
- 3. The Deputy Registrar of this court will approve the accused surety for his release.**
- 4. Mention on 21.6.2013 for fixing of hearing dates.**

**DATED, SIGNED AND DELIVERED THIS 20<sup>TH</sup> DAY OF MARCH 2013**

**LESIT, J.**  
**JUDGE.**