



REPUBLIC OF KENYA



**KENYA LAW**  
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**Republic v Langat (Criminal Case E007 of 2022)  
[2025] KEHC 53 (KLR) (14 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 53 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BOMET  
CRIMINAL CASE E007 OF 2022**

**RL KORIR, J**

**JANUARY 14, 2025**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**GILBERT LANGAT ..... ACCUSED**

**RULING**

1. The Accused has been charged with the count of murder contrary to section 203 as read with section 204 of the *Penal Code*. The particulars of the charge are that on 13th March 2022 at Mauche Estate, Bomet Township within Bomet County, he murdered Faith Chepkoech.
2. The Accused has also been charged with the second count of attempted suicide contrary to section 220(a) of the Penal Code. The particulars of the charge are that on 13th March 2022 at Mauche Estate, Bomet Township within Bomet County, he attempted suicide by stabbing himself.
3. On 27th April 2022, the Accused took plea on both counts and pleaded not guilty to both counts.
4. This is the third attempt at securing bail by the Accused. In a Ruling dated 28th October 2020, this court denied the Accused bail citing fears for his safety amid the hostilities and threat to peace on the ground and tension between the respective families of the Accused and the deceased who was his wife.
5. The Accused's counsel then sought review of the aforementioned Bail Ruling and this court through a Ruling dated 10th February 2022 declined to review its Ruling citing no changed circumstances. It was evident to the court from the Probation Officer's Report that the Accused's safety was still at risk.
6. On 30th November 2022, the Accused's counsel applied for a review of this court's Bond Ruling dated 10th February 2022 stating that the Accused's family had reached out to the victim's family and that the Accused's safety was no longer threatened and there was societal harmony on the ground.



7. Mr. Kipngetch, learned counsel for the Accused submitted that the Probation Officer recommended the Accused be released on bond. On the other hand, Mr. Njeru, the learned Prosecution counsel submitted that he was not opposed to the Application but asked this court to consider the views of the Probation Officer and the circumstances of the case.

8. On 15th October 2024, this court ordered that a fresh Pre Bail Report be filed.

### **Pre bail Report**

9. The Report was filed on 5th November 2024 and it stated that the victim's family had suffered immense psychological trauma and emotional turmoil. That they had healed and were no longer opposed to the release of the Accused on bond. The victim's family further stated that there was no more animosity on the ground and that the families were now co-existing peacefully.

10. The Report stated that the local administration regarded the Accused as a good person who actively participated in community activities and always assisted people. The local community were not opposed to his release on bond.

11. The Probation Officer recommended the Accused be released on bond as the ground was no longer hostile as the victim's family and clan had come to terms with the loss of their daughter.

12. I have looked critically at the Probation Report and it is clear that the victim's family and the local community were not opposed to the release of the Accused on bail and there were no more safety issues in respect to the Accused

13. Article 49(1) (h) of *the Constitution* 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.

14. Having considered the Application for bail and the Pre Bail Report dated 6th November 2024, I do not find any compelling reason to deny the Accused persons bail. This court bears in mind that the primary purpose of bail is to ensure that the Accused attend the trial. See *Republic Vs. Godfrey Madegwa and 6 others* [2016] eKLR.

15. I grant the Accused bail on the following terms:-

- i. He shall execute a bond of Kshs. 300,000/= with one surety of similar amount.
- ii. He shall attend court whenever required and shall not impede his trial in any way.

Orders accordingly

**RULING DELIVERED, DATED AND SIGNED THIS 14<sup>TH</sup> DAY OF JANUARY, 2025.**

.....

**R. LAGAT-KORIR**

**JUDGE**

Ruling delivered in the presence of the Accused, Mugumya holding brief for Mr. Leteipa for the Accused and Siele (Court Assistant).

