



**Republic v Shonimeu & 2 others (Criminal Case E003 of 2024)  
[2025] KEHC 4768 (KLR) (4 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4768 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KILGORIS  
CRIMINAL CASE E003 OF 2024  
CM KARIUKI, J  
APRIL 4, 2025**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**EMMANUEL LEMASHON SHONIMEU ..... 1<sup>ST</sup> ACCUSED**

**EDWIN TALENGO SHONIMEU ..... 2<sup>ND</sup> ACCUSED**

**SAMSON OIBOO TELEU ..... 3<sup>RD</sup> ACCUSED**

**RULING**

1. The accused No. 3 along with two (2) others are charged with offence of murder under section 203 as read with Section 204 of the *Penal Code* Cap 63 Laws of Kenya.
2. He denied the offence and thus matter is at the stage of determining his release on bond eligibility.
3. The court ordered for PBR Report to be filed. The same was filed dated 12/03/2025. Same is negative as it recommends the grant be deferred due to the prevailing circumstances.
4. The Investigating Officer swore affidavit via PC Kyalo on 12/02/2025. He avers that after the incident, accused absconded and it took long to trace and arrest him. He is also said to be capable of interfering with witnesses. He is said to have no fixed place of abode thus a potential flight risk.
5. The respondent replied via affidavit he swore on 28/03/2025. He refused to run away after the incident as he stayed at home. He reiterates the PBR Report confirms that he was staying at home with his parents in Olomismis in Trans Mara West Sub- County. That he avers that there is no evidence he will interfere with witnesses nor of his life being in danger.
6. He states that he has never committed any previous offence (s). That the bail is a constitutional right under Act 49(i) (h) of the *Constitution* of Kenya.2010.



7. I note that other 2 accused persons were granted bail/bond with terms cash Kshs.300,000/= or personal bond of Kshs.500,000/= with one surety of same amount.
8. The accused has managed to rebut the PBR negative element on him and the investigating officer's affidavit allegations which were not substantiated.

Thus, I grant accused either cash bail of Kshs.300,000/= or personal bond of Kshs.500,000/= with one surety of equal amount.

The accused shall not get into contact with the witnesses.

**DATED, SIGNED, AND DELIVERED AT KILGORIS THROUGH MICROSOFT TEAMS  
ONLINE APPLICATION THIS 4<sup>TH</sup> DAY OF APRIL, 2025.**

.....

**HON. CHARLES KARIUKI**

**JUDGE**

