



REPUBLIC OF KENYA



KENYA LAW
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**Nguku v Republic (Criminal Case E031 of 2023)
[2025] KEHC 5926 (KLR) (9 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 5926 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CRIMINAL CASE E031 OF 2023**

A MSHILA, J

MAY 9, 2025

BETWEEN

DOMINIC NGIGE NGUKU APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was charged with the four (4) Counts of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#); he is accused of having murdered Laban Mwachhi Ngugi, Earnest Muigai Kinyanjui, Patrick Nguku Wambui and Peter Irungu Mungai on the 14th August, 2023 at Ngorongo Location Chania Division in Gatundu North Sub-County within Kiambu County.
2. An application is before this Court whereby the accused through his Learned Counsel Mr. Ochieng has applied for his bail/bond terms pending the hearing and determination of the murder case; the Prosecution was not opposed to the application but called for a pre-sentencing report to assist the Court in making a determination;
3. The Pre-Sentencing Report was availed and is dated 19th March, 2025 and even though the family was willing to assist the accused secure the bond and prayed for favourable terms, the recommendation is that the accused is not a suitable candidate for admission to bail/bond as the offences were committed within the locality where his family and the victims families reside and there was still a lot of hostility between the accused and the community;
4. This Court states that with the advent of the new [Constitution](#) 2010 times have indeed changed and that although the accused has been charged with multiple counts of the serious offence of murder which carries a heavy sentence, the offence isailable;
5. The above notwithstanding the right to bail has limitations and the same may be denied if compelling reasons are found; the Pre-sentencing Report indicates that the victims of the four (4) families are



immediate neighbours and are still aggrieved by their losses; the area chief confirmed that there was still widespread hostility towards the accused within the community which was still enraged and the area chief feared that the accused's life might be endangered if he were to be released out on bond and that this was a compelling reasons to support the accused's continued detention or denial of bail;

6. Having given due consideration to the application before this court which is not opposed; and having noted the contents of the Presentencing Report dated 19th March, 2025 this court is satisfied that there are compelling reasons to support the accused's continued detention and denial of bail; and will instead expedite the hearing of the case.

Findings and Determination

7. For the foregoing reasons the application for bail is found to be devoid of merit and it is hereby disallowed.

8. Hearing 10/06/2025.

Orders Accordingly.

DATED, SIGNED AND DELIVERED VIA TEAMS AT KIAMBU THIS 9TH DAY OF MAY, 2025.

A. MSHILA

JUDGE

In the presence of;

Sanja – Court Assistant

Gacharia – for the State

N/A by Mugambi – for the Accused

Accused – present in court

