Republic v Govero (Criminal Case E018 of 2024)
[2025] KEHC 6414 (KLR) (22 May 2025) (Ruling)

Neutral citation: [2025] KEHC 6414 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT ELDORET

CRIMINAL CASE E018 OF 2024

E OMINDE, J

MAY 22, 2025

BETWEEN

REPUBLIC ..... PROSECUTOR

AND

WINNIE GOVERO ..... ACCUSED

RULING

1. The applicant was charged with the offence of murder contrary to section203 as read with section 204 of the Penal code. The particulars of the offence were that on 07/09/2024 at Huruma estate, in Huruma Sub Location, in Turbo Sub County, within Uasin Gishu County, she murdered Vincent Karis. She then approached this court vide a Notice of Motion, essentially, a bail application dated 16/12/2024 seeking the following orders;

    a. Spent

    b. That the Accused/Applicant herein be released on bail/bond pending the hearing and determination of this criminal case against her.

    c. That the costs of this application be provided for.

2. The application is premised on the grounds on the face of it and the averments of the applicant in the supporting affidavit.

3. In her affidavit, the applicant deponed that on the dates scheduled for mention, to wit; 02/10/2024, 18/11/2024, and 28/11/2024 her advocate was engaged in a Constitutional Petition Hearing at the High Court in Kericho and she duly instructed another advocate to hold her brief. However, the advocate failed to appear in court and he did not inform her in time of his failure to hold brief, leading to the applicants' plea for bail/bond not being presented. She further deponed that her failure to present

the application for bail/bond on the said dates was not due to any negligence or unwillingness on her part but due to circumstances beyond her control.

4. The deponent averred that she is entitled to bail or bond in accordance with the provisions of Article 49 (1) (h) of *the Constitution* of Kenya. That there are no compelling reasons to deny bail and she is willing furnish into the court the amount the court may set as bail/bond as well as provide sureties. She further deponed that she is am a woman of good social and was, until her arrest, she was working as a business lady in Eldoret. Further, she stated that she has school going children who need her care and maintenance and she pledges to avail herself as and when her presence is required. She prayed the court allow the application.

5. The court directed that the probation officer conduct investigations and file a Pre Bail report which report was filed in court on 26/03/2025. The officer reported that the accused was married to the victim and has no history of any drug or substance abuse. Further, that she was a first time offender and understands the seriousness of the offence. She stated that the deceased's family still perceive the accused as family and that the mother of the deceased has no objection if the applicant is granted bond. There is no animosity in the community and there are arrangements for sureties and the settlement of the applicant in the event she is granted bail. It was the recommendation of the probation officer that the accused was a person suitable for favourable bond terms.

6. The Application is not opposed by the Prosecution. The Court has also noted that the parties are negotiating a Plea Bargain Agreement. In light of all the above, I see no compelling reason to deny the Accused Bond. She is to be released on a Personal Bond of Ks. 100,000/- and one Surety of like amount or Cash Bail of Ks. 50,000/-

READ DATED AND SIGNED AT ELDORET ON 22ND MAY 2025

E. OMINDE

JUDGE