



REPUBLIC OF KENYA



**KENYA LAW**  
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**Republic v Wekesa (Criminal Case E018 of 2025)  
[2025] KEHC 10470 (KLR) (2 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10470 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUNGOMA  
CRIMINAL CASE E018 OF 2025**

**REA OUGO, J  
JULY 2, 2025**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**DENNIS BARASA WEKESA ALIAS ISAAH ..... ACCUSED**

**RULING**

1. The accused, Dennis Wekesa Barasa alias Isaiiah, seeks release on bond. He faces a charge of murder. The first pre-bail report, dated 28.4.2025, was unfavorable. The defence counsel has informed the court that this report was biased and that the allegations against the accused were incorrect. The second report, dated 10.6.2025, is favorable. It indicates that the court can exercise discretion and grant the accused bond.
2. Defence counsel relied on the two reports during his oral submissions. The application was opposed. The prosecution's main reasons were that there was a likelihood of witness interference and also that the mother of the deceased was in a relationship with the accused and is pregnant. The prosecution requested that the court should not downplay the possibility of witness interference.
3. Defence counsel reminded the court of the accused's constitutional right to be released on bail, and also that it is not the accused who is threatening and allegedly interfering with the witnesses.
4. The accused's right to be released on bond or bail is protected by our Constitution, 2010 (see Article 49 (1) (h)). After considering the rival submissions and in the interest of justice, I find that although the last report is favorable, it must be weighed against the public interest and the sentiments of the victim. There are allegations of interference with witnesses. This is happening while the accused is still in custody. I cannot ignore this fact. I decline to grant the accused bond or bail. His application to be released on bond can be renewed later at the hearing. The hearing is scheduled for the 14th of this month. The accused shall remain in custody.



**DATED, SIGNED, AND DELIVERED AT BUNGOMA THIS 2<sup>ND</sup> DAY OF JULY, 2025.**

**R.E. OUGO**

**JUDGE**

In the presence of:

Dennis Barasa Wekesa - Present

Mr. Wekesa - For the Accused

State Counsel - Absent

Wilkister - C/A

