



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Kibet (Criminal Case E015 of 2025)
[2025] KEHC 12982 (KLR) (18 September 2025) (Ruling)**

Neutral citation: [2025] KEHC 12982 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL CASE E015 OF 2025
JK SERGON, J
SEPTEMBER 18, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

WELDON KIBET ACCUSED

RULING

1. The subject matter of this ruling is an application by the Accused Person Namely:- Weldon Kibet to be admitted to bail/bond pending trial. The Applicant is before this Court to face a charge/information for Murder.
2. It is stated that on 27th August, 2020, the Accused jointly with another not before Court murdered Grace Chepchirchir Lang'at at Chesebet Village in Kaborok Location, Belgut Sub-County within Kericho County.
3. The Applicant has beseeched this Court to admit him to bail pending trial as a constitutional right. The Prosecution opposed the application for bail stating that the Accused is a flight risk and if released on bond, he may interfere with witnesses particularly his sister.
4. In response, the Accused stated that he is not a flight risk and that he has a fixed abode.
5. I have considered the rival arguments plus the pre-bail report filed by the Kericho County Probation Officer. In the pre-bail report, it is indicated that the Accused is not a flight risk.
6. It is stated in the Probation Officer's report that the Accused is well known to the Chief, Kaborok Location where he has a rural home within his parent's family land and therefore he is not a flight risk.
7. Article 49 (1) h of *the Constitution* is clear that 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.



8. I have already outlined the reasons advanced as compelling reasons by the Prosecution. It is indicated that the Accused Person is a flight risk. It is clear from the Probation Officer's Report that the Accused actually is not a flight risk.
9. However, if it was proved that he is a flight risk, then that ground could have been regarded a compelling reason.
10. The Prosecution further argued that the Accused may interfere with witnesses. The Probation Officer's report shows that the potential witnesses did not complain of being interfered with. They merely complained that the Accused may disappear if released on bond. I have already concluded that the Accused is not a flight risk. In essence the prosecution has not established that the Accused person would interfere with witnesses.
11. It is not enough to allege that an Accused would interfere with witnesses. Such an assertion must be supported by cogent evidence which burden the prosecution failed to discharge.
12. In the end, I find that the Prosecution has failed to provide compelling reasons to enable this Court deny the Accused bond/bail pending trial.
13. I am satisfied that the Accused is entitled to bond/bail pending trial.
14. Consequently, the Accused Namely: Weldon Kibet is admitted to bail pending trial. He should be released upon signing a bond of Kshs.300,000/= with one surety of like sum.

Dated, signed and delivered at Kericho this 18th day of September, 2025.

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J. K. SERGON

JUDGE

In the presence of:

C/Assistant – Rutoh

Prosecutor – Ogutu

Accused – Present in Person

J. K. Mitey for the Accused

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