



**Republic v Ongoro & 2 others (Criminal Case E020 of 2023)
[2024] KEHC 1990 (KLR) (1 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 1990 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
CRIMINAL CASE E020 OF 2023
WM MUSYOKA, J
MARCH 1, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

KEVIN ONGORO 1ST ACCUSED

JOSEPH ONGORO WANJALA 2ND ACCUSED

SEMI ONDUODO 3RD ACCUSED

RULING

1. The 3 accused persons face a murder charge. They denied the offence, and were remanded in custody.
2. They applied for bond/bail, on their arrangement on 19th October 2023, but that application was rejected, in a ruling delivered on 27th October 2023, on various grounds, including the environment at home being hostile, hence their safety could not be assured.
3. The application was renewed on 7th November 2023, and I called for pre-bail reports, and the same was filed. I still denied bond, in a ruling delivered on 27th November 2023, as the pre-bail reports indicated that the ground was still hostile, as the remains of the deceased were yet to be buried, and there was potential for trouble.
4. The prosecution case commenced on 7th November 2023 and closed on 30th November 2023. I put the accused on their defence, by a ruling, dated 16th February 2024. The application for bond was renewed. The prosecution did not oppose it, save that it called for fresh pre-bail reports.
5. Fresh pre-bail reports were filed on 27th February 2024. I have gone through them. They are generally favourable. The body of the deceased has been interred. Members of the family of the accused, who had fled their homes for fear of retaliation, have gone back. It is reported that the safety of the accused would be guaranteed, if admitted to bond. I note too that the prosecution closed its case.



6. As there are not compelling reasons to deny bond, and the prosecution is not opposed to it, I hereby admit the 3 accused persons to bond, of Kshs. 400,000.00 each, with 1 surety of like amount for each.

RULING DELIVERED, DATED AND SIGNED IN OPEN COURT AT BUSIA THIS 1ST DAY OF MARCH 2024

WM MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Chepkonga, instructed by the Director of Public Prosecutions, for the Republic.

Mr. Ouma, Advocate for the accused persons.

