



**State v Onyango (Criminal Case E030 of 2022)  
[2024] KEHC 3987 (KLR) (22 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3987 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL CASE E030 OF 2022  
DO OGEMBO, J  
APRIL 22, 2024**

**BETWEEN**

**STATE ..... PROSECUTION**

**AND**

**PAUL ONYANGO ..... ACCUSED**

**RULING**

1. I have considered this matter. I have listened to both the surety and father of the deceased, James Wamukoya, Identity Number 5150777, who is also in court. All the parties herein including the prosecution are agreed that this case cannot progress without the accused.
2. The surety undertook to ensure that accused attends court and is available for the hearing of his case. He has failed in his responsibility as accused has absconded immediately he was released on bail on 26/1/2023.
3. This court is mandated to take actions in the circumstances. First, to realize and sell the security deposited herein by the surety. And second, to commit the surety to jail for upto six (6) months.
4. I have considered the circumstances of this case and I am convinced that the right action to take is to commit the surety to jail.
5. In the circumstances, I order that the surety Alloys Oliech Ngoge be imprisoned for 5 months commencing today. It is so ordered.

**Dated, Signed and Delivered this 22<sup>nd</sup> Day of April, 2024.**

**D. O. OGEMBO**

**JUDGE**

**22/4/2024**



**Court**

Warrant of Arrest to remain force against the accused.

File ordered closed.

**D.O. OGEMBO**

**JUDGE**

**22/4/2024**

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