



**State v Oduol & 4 others (Criminal Case E012 of 2024)  
[2024] KEHC 4648 (KLR) (6 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 4648 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL CASE E012 OF 2024  
DO OGEMBO, J  
MAY 6, 2024**

**BETWEEN**

**STATE ..... PROSECUTOR**

**AND**

**NICHOLAS OMONDI ODUOL ALIAS NICKY ..... 1<sup>ST</sup> ACCUSED**

**LEON OTIENO ODIPO ..... 2<sup>ND</sup> ACCUSED**

**SAMUEL OWINO OUMA ALIAS OWISLY ..... 3<sup>RD</sup> ACCUSED**

**KEVIN OCHIENG OMONDI ..... 4<sup>TH</sup> ACCUSED**

**JOANES OCHIENG ONGAR ..... 5<sup>TH</sup> ACCUSED**

**RULING**

1. The two accused have applied to this court to be released on bail pending their trial. The prosecution has not opposed this application. Under Article 49 (1) (h) the right to bail is available to all accused persons irrespective of the nature of the charges that they face. The right to bail can only be denied where it is shown the existence of a compelling reason. No such compelling reason has been shown as to warrant a denial to the right to bail to the accused. In the absence of any compelling reason, I order that each of the accused may be released on bond on the following terms:-
  - a. Each may be released on a bond of Ksh.500,000/= with one surety each of a similar amount.
  - b. In the alternative, each may be released on a cash bail of Ksh.100,000/=.
  - c. Accused are ordered not to interfere, intimidate and or contact any of the prosecution witnesses till this case is determined.
  - d. Upon release, the accused are ordered to attend court at all times as may be ordered from time to time till this case is determined.



**DATED, SIGNED AND DELIVERED THIS 6<sup>TH</sup> DAY OF MAY, 2024.**

**D. O. OGEMBO**

**JUDGE**

**6/5/2024**

**Court**

Case to be heard as fixed. Hearing 21/5/2024.

**D. O. OGEMBO**

**JUDGE**

**6/5/2024**

**Accused 4**

I ask to be taken to hospital.

**Court**

Accused 4 to be taken to hospital for treatment.

**D. O. OGEMBO**

**JUDGE**

**6/5/2024**

