



**Muthui v Republic (ODPP) (Criminal Revision E239 of 2024)  
[2024] KEHC 9382 (KLR) (25 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9382 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KITUI  
CRIMINAL REVISION E239 OF 2024**

**RK LIMO, J  
JULY 25, 2024**

**BETWEEN**

**MUENI MUTHUI ..... APPLICANT**

**AND**

**REPUBLIC (ODPP) ..... RESPONDENT**

**RULING**

1. This court has considered the application dated 23<sup>rd</sup> July 2024 and the reasons adduced. The application for revision is not opposed. The Applicant has a right to bail as stipulated under Article 49 rules compelling reasons are advanced. She also has a right to be presumed innocent.
2. The reasons given by Investigating Officer as compelling have not been supported by the ODPP in this application. In the premises, the order denying the Applicant bond on 19<sup>th</sup> July 2024 by the trial court is reversed. The Applicant can be released under bond of Kshs. 100,000/= with a surety.
3. She is directed to stay away from the complainant and prosecution witnesses and appear at the trial court promptly whenever required to do so.

**DATED, SIGNED AND DELIVERED AT KITUI THIS 25<sup>TH</sup> DAY OF JULY, 2024**

**HON. JUSTICE R. K. LIMO**

**JUDGE**

