



**Republic v Rotich (Criminal Case E035 of 2023)  
[2024] KEHC 9364 (KLR) (25 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9364 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL CASE E035 OF 2023**

**HM NYAGA, J  
JULY 25, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**ROBERT KIPYEGON ROTICH ..... ACCUSED**

**RULING**

1. The accused is charged with the offence of Murder Contrary to Section 203 as read with Section 204 of the [Penal Code](#).
2. After plea was taken, the accused was granted a bond of Kshs. 500,000/= with a surety of similar amount.
3. On 12<sup>th</sup> March 2024, the accused sought a review of his bond terms. I called for a Bond/Bail Report, which was then filed in court on 25<sup>th</sup> April, 2024.
4. From the said report, it is stated that the accused’s relatives are unable to find a tangible asset to raise the bond amount. They have a log book for a motorcycle in the name of accused’s brother. The value of the motorcycle is put at around Kshs. 200,000/=
5. The family of the deceased were interviewed. It is apparent that they live near the accused’s home. They felt that it was too soon to have the accused released on bond given that his family has been making provocative remarks towards them. These remarks were not substantiated.
6. I have considered the matter. The accused’s bond cannot be said to be excessive given the nature of the offence. It is not really any different from other persons facing a similar offence.
7. I am of the view that what the accused needs to do, if he cannot get one surety to cover the amount, set out, he can avail two or more such persons to stand for him so that the aggregate of the security



is sufficient to cover the bond amount. If they so avail themselves, the sureties will be sworn by the Deputy Registrar in the usual manner.

8. I thus, decline to review the bond terms, save as stated above.

**DATED, SIGNED AND DELIVERED AT NAKURU THIS 25TH DAY OF JULY, 2024.**

**H. M. NYAGA,**

**JUDGE.**

**In the presence of;**

**Court Assistant Jeniffer/Miruya**

**State counsel Nancy**

**Accused absent**

