



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Republic v Athman (Criminal Case E011 of 2022)  
[2023] KEHC 1974 (KLR) (2 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 1974 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
CRIMINAL CASE E011 OF 2022**

**A. ONG'INJO, J  
MARCH 2, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**YUNUS ATHMAN ..... ACCUSED**

**RULING**

1. The accused herein PC Yunus Athman was granted bond of Kshs1,000,000/= with one Surety of similar amount or bond of Kshs 500,000/= with 2 sureties of similar amount. Other conditions were also attached to the bond terms. On February 7, 2023 Mr Wangila Advocate for accused made an application for review of bond terms for reasons that the accused was unable to secure sureties.
2. The investigating officer James Njuru swore an affidavit seeking that accused persons bond be revoked as he is suspected of having been involved in the murder of the key witness herein and is going to interfere with witnesses.
3. This court has considered the application for review of bond terms and find that they are reasonable considering the offence the accused is alleged to have committed. This court will however not revoke bond terms granted so far as it is not privy to the investigations and/or trial on the murder of the key prosecution witness and cannot attribute it to the accused in absence of evidence.

**DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 2<sup>ND</sup> DAY OF MARCH 2023**

**HON. LADY JUSTICE A. ONG'INJO**

**JUDGE**

In the presence of:-

Ogwel- Court Assistant



Mr. Ngiri for State

Mr. Wangila Advocate for accused

Mr. Sadika Advocate hold brief

**Hon. Lady Justice A. Ong'injo**

**Judge**

Order : Hearing - 23/3/2023,

28/3/2023

**29/3.2023**

**Hon. Lady Justice A. Ong'injo**

**Judge**

