



**Republic v Said alias Mweke (Criminal Case E003 of 2024)
[2024] KEHC 13397 (KLR) (5 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 13397 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VOI
CRIMINAL CASE E003 OF 2024
AN ONGERI, J
NOVEMBER 5, 2024**

BETWEEN

REPUBLIC PROSECUTOR

AND

BARAKA SAID ALIAS MWEKE ACCUSED

RULING

1. I have considered the application for bail which is opposed by the prosecution.
2. Every accused person is entitled to bail under Article 49 of the *Constitution* unless there are compelling reasons why he should not be released.
3. I have considered the bail assessment report which states that the accused person is a middle aged man (aged 54) with 8 children all aged below 18 years.
4. His wife is currently serving a jail term at Wundanyi Women Prison.
5. The report states that if the accused person is released on bail adequate measures should be put in place to ensure that he does not interfere with the witnesses.
6. I find that that is not a compelling reason why the accused should be denied bond. Every accused person is presumed innocent until proved guilty.
7. I grant the accused person a bond of Kshs. 500,000/= with one surety of similar amount.
8. The accused person in addition to report to the OCS Taveta Police Station once every month until further directions from this court.
9. The Defence Counsel to be supplied with the witness statements and all documents which the prosecution will rely on within 7 days of this date.



10. Mention on 17th December 2024 for the pre-trial conference and for a hearing date.

DATED, SIGNED AND DELIVERED THIS 5TH DAY OF NOVEMBER 2024 IN OPEN COURT AT VOL.

ASENATH ONGERI

JUDGE

In the presence of:-

Maina/Trizah – Court Assistants

Prosecutor: Frank Sirima

Mr. Mwazighe for Mr. Mwandoto for the Accused person

