

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MAKUENI

HCCRC NO.E006 OF 2021

REPUBLIC.....PROSECUTION

-VERSUS-

DUNCAN KIOKO JOHN.....ACCUSED

RULING ON BOND

1. The accused herein who stands charged with murder contrary to section 203 as read with section 204 of the Penal Code (Cap 63) has orally applied for bond/bail through Counsel Ms. Kemunto.
2. The State, through Ms. Gakumu the Senior Prosecuting Counsel has informed the court that the Director of Public Prosecutions for the State had not received any grounds for opposing bail.
3. I have considered the request for bond/bail and the response of the State.
4. Under Article 49(1) (h) of the Constitution of Kenya 2010, every arrested person has a right to be released on bond or bail on reasonable terms unless there are compelling reasons for refusal of grant of the same. It provides as follows –

49(1) An arrested person has the right –

(h) to be released on bond or bail, on reasonable conditions, pending a charge or trial, unless there are compelling reasons not to be released.

5. Having considered the application for bail and the response of the Director of Public Prosecutions, I find no reasons to deny the accused person bond or bail. I thus allow the application and order as follows:-

- 1. The accused will be released on signing his own bond of Kshs.200,000/= with one surety of similar amount.**
- 2. Alternatively, he will be released on paying cash bail of Kshs.100,000/=.**
- 3. He will not interfere with Prosecution witnesses.**
- 4. He will attend every mention of the case and the hearing until the case is finally determined.**

DATED SIGNED & DELIVERED, THIS 5TH DAY OF MAY 2021, IN OPEN COURT AT MAKUENI

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GEORGE DULU

JUDGE