



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL CASE NO. E014 OF 2020

REPUBLIC.....PROSECUTOR

-VS-

MWENYEHERI MGELE JEFA.....1ST ACCUSED

SHADRACK NYIRO RASI.....2ND ACCUSED

BERRNARD MASAI MWANGEKA.....3RD ACCUSED

RULING

1. The accused persons herein applied for review of orders made on 16th December 2010 denying them bond. Fresh pre-bail reports were called for and the same were filed on 14.9.2021.
2. This court has perused the pre-bail reports in respect of the accused persons and in consideration of the fear by the remaining civilian witnesses as to their safety, if the 1st and 2nd accused persons are released before they testify, an order is hereby issued that once the remaining civilian witnesses testify on 25.11.2021, the 1st and 2nd accused persons shall be released on a bond of Kshs. 500,000 each with a surety of similar amount.
3. For now they remain in custody at the Shimo la Tewa GK prison.
4. The 3rd Accused person may be released on bond of Kshs. 500,000 and a surety of a similar amount in consideration of the fresh pre-bail report which is favourable.

DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS, THIS 17TH DAY OF SEPTEMBER 2021

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Ben- Court Assistant

Ms. Keya for the State

Mr. Were for the 1st Accused

Mr. Otuoma for the 2nd Accused

Ms. Ayieko for the 3rd Accused

HON. LADY JUSTICE A. ONG'INJO

JUDGE