



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MERU**

**CRIMINAL CASE NO 5 OF 2017**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**VICTOR MURIMI M'ARITHI .....ACCUSED**

**RULING ON BAIL**

1. The court has considered the Probation Officers' Report Pre-bail Report dated 29/11/2021.
2. There is clearly no compelling reason to deny the accused bail even though some family members of the deceased, who are also siblings of the accused and the deceased, are opposed to his release.
3. The accused and the deceased were brothers and there are fears of his safety from some close family. The area chief does not find the accused as a flight risk and the neighbours defer to the family members on the question of bail for the accused.

**ORDER**

4. There being no compelling reasons for denial of bail and the fears of the accused's safety being capable of addressing by less restrictive means, the court shall grant the accused bail upon terms as follows:-

1. Accused shall execute a bond of Ksh. 300,000 with (1) surety of the same amount and
2. Accused shall upon release keep away for his own safety from the area where the offence is alleged to have occurred, according to the charge sheet, that is, Gitine area of Mweru location within Meru County.

Order accordingly

**DATED AND DELIVERED THIS 15<sup>TH</sup> DAY OF DECEMBER, 2021**

**EDWARD M. MURIITHI**

**JUDGE**