

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

CRIMINAL CASE NO. 55 OF 2018

REPUBLIC.....PROSECUTOR

VERSUS

BRIAN SAVA.....ACCUSED

RULING

On 18th December 2018 this court made a ruling in respect of the application by the accused to be admitted to bond/bail pending the hearing and determination of this case. In that ruling I directed that this court receives the evidence of Protus Induswe ahead of the hearing of this case in May 2019 to address the fears this witness expressed concerning the release of the accused on bond. The prosecution has intimated that if this witness is interfered with or intimidated, this may compromise the case for the prosecution. It was the view of this court that once the evidence of this witness is received then it would enable the court to secure the same before releasing the accused person.

On 4th February 2019 I received the evidence of Protus Induswe. What is pending now is for this court to conclude its ruling on the issue of bond by setting bond terms as stated in my ruling. In view of this I hereby allow the application to admit the accused to bond on the following terms:

- (i) That the accused shall be released on a bond of Kshs 500,000 with one surety of similar amount.
- (ii) In the alternative the accused shall deposit a Cash Bail of a sum of Kshs 200,000 with the Registrar of this court.
- (iii) He shall attend court on all the days when his attendance is required in respect of this case until the same is fully determined.
- (iv) The accused shall not act in any manner that may compromise the fair trial.

Orders shall issue accordingly.

Delivered, dated and signed this 7th day of February 2019.

S. N. Mutuku

Judge