

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KITUI

CRIMINAL CASE NO. 18 OF 2018

JOHN MUTHUI MUTAMBU.....ACCUSED/APPLICANT

VERSUS

REPUBLIC.....PROSECUTOR/RESPONDENT

R U L I N G

1. **John Muthui Mutambu**, the Accused/Applicant, is charged with the offence of **Murder**. He seeks to be released on bail pending trial.
2. The Application is premised on grounds that: he is a responsible family man with a fixed abode which he will not leave until the case is heard and determined; he is ready to be reporting to the Investigation Officer if need be and there are no threats to his life.
3. In response, the Respondent/State is not opposed to the Application, the basis being that there are no compelling reasons requiring him being denied bond.
4. Bail is a constitutional right. An individual can only be incarcerated during pendency of trial if there are compelling reasons that are non-existent in the present case. Therefore, I grant the Applicant/Accused bond of **Kshs. 500,000/=** and a surety of a similar sum.
5. It is so ordered.

Dated, Signed and Delivered at Kitui this 8th day of May, 2019.

L. N. MUTENDE

JUDGE