

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

CRIMINAL CAE NO 52 OF 2019

REPUBLIC.....DPP

VERSUS

PAUL MUNGATHIA MURIUNGI.....ACCUSED

R U L I N G

1. The accused applied for bond. The same was not opposed. I have considered the Pre-bail report filed on 18/09/2019. The same shows that there are no compelling reasons in this matter.
2. In the premises. I grant the accused bond. He may be released on a personal bond of kshs. 400,000/= together with a surety of similar amount.
3. As regards the complaints of the accused at to alleged retained of his money by the arresting officers,
4. I have considered the positive averments in the affidavit of Pc Michael Nyamai sworn on 07/08/2019. Although the accused was granted time to respond thereto, he did not do so.
5. Accordingly, the positive averments contained in the affidavit of PC Nyamai remain uncontroverted and unchallenged.
6. PC Nyamai has explained to the satisfaction of this court that what was confiscated are exhibits to be used in this case.
7. In this regard, I am satisfied that the allegations of impropriety on the part of the police by the accused are given basis and are dismissed.

A. MABEYA

JUDGE

19/9/2019