

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

CRIMINAL CASE NO 5 OF 2019

REPUBLIC.....PROSECUTOR

VERSUS

PAUL KARIUKI MWANGI.....ACCUSED

RULING ON BAIL

1. The Accused in this case, **PAUL KARIUKI MWANGI**, is charged with *murder* contrary to **section 203 as read with section 204** of the **Penal Code**. It is alleged in the information dated 01/03/2019 that in the night of 25/01/2019 at Nanyuki Teaching and Referral Hospital in Nanyuki Town within Laikipia County, he murdered one **RONY KABURU MAINGI**.
2. On 22/10/2019 the Accused pleaded not guilty to the charge. Trial has not yet been scheduled. The Accused has asserted his constitutional right to bail. The Republic does not oppose.
3. Bail pending trial is now a constitutional right that will be denied only for compelling reason; and any condition that the court might impose for such bail, again by constitutional edict, must be reasonable. For all that see **Article 49(1) (h)** of the **Constitution of Kenya, 2010**.
4. I have perused the witness statements and documentary evidence supplied by the prosecution to the Accused and to court. I find no compelling reason there to deny the Accused bail.
5. In the circumstances, the Accused shall be admitted to bail upon his own cognizance in the sum of KShs 1million plus one surety in like sum. It is so ordered.

DATED AND SIGNED AT NANYUKI THIS 18TH DAY OF DECEMBER 2019

H P G WAWERU

JUDGE

DELIVERED AT NANYUKI THIS 19TH DAY OF DECEMBER 2019