

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NANYUKI

CRIMINAL CASE NO 5 OF 2018

REPUBLIC.....PROSECUTOR

VERSUS

MARGARET NJERI KAMONI.....ACCUSED

R U L I N G

1. The Accused in this case, **MARGARET NJERI KAMONI**, is charged with **murder** contrary to **section 203 (as read with section 204)** of the **Penal Code**. It is alleged in the information dated 19/03/2018 that on 1st March 2018 at Sportsman's Arms Hotel within Nanyuki Town in Laikipia East Sub-County of Laikipia County within the Republic of Kenya, with others not before court, she murdered one **CAROLINE NDUKA CHEGE**.

2. On 11th April, 2018 the Accused pleaded not guilty to the charge. Her trial is scheduled to commence on 12/06/2018. The Republic has no objection to her being released on bail pending her trial.

3. Bail pending trial is now a constitutional right that will be denied only for compelling reason; and any conditions for such bail that the court might impose, again by constitutional edict, must be reasonable. See **Article 49 (1) (h)** of the **Constitution of Kenya, 2010**.

4. As already noted, the Republic does not oppose the Accused's release on bail. I have perused the bundle of copies of witness statements and documentary evidence supplied to the defence and to the court by the prosecution. I find therein no compelling reason to deny the Accused her constitutional right to bail.

5. In the circumstances I shall admit the Accused to bail. She shall be released upon her own personal bond of KShs 500,000/00 and one surety in like sum. It is so ordered.

DATED AND SIGNED AT NANYUKI THIS 23RD DAY OF MAY 2018

H P G WAWERU

JUDGE

DELIVERED AT NANYUKI THIS 12TH DAY OF JUNE 2018