



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAKURU**

**CRIMINAL CASE NUMBER 1 OF 2018**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**GLADYS WAMBUI MWANGI.....1<sup>ST</sup> ACCUSED**

**RAHAB MUKENYI AROMBA .....2<sup>ND</sup> ACCUSED**

**ALEX MUHANJI OKWEMBA .....3<sup>RD</sup> ACCUSED**

**JAMES MWAURA NGIGI.....4<sup>TH</sup> ACCUSED**

**NICHOLAS CHEGENYE MUDEGU.....5<sup>TH</sup> ACCUSED**

**RULING**

1. The condition precedent imposed by court vide its ruling dated 8/2/2018 requiring that the 1<sup>st</sup> accused remains in custody until three (3) prosecution witnesses, namely, Arthur Macharia Mwangi, Diana Rose Wandiku Mumbi and Jane Nyambura Mungai testified has been met as the three witnesses having since testified before court.

2. In the premises and upon renewal of the bail application for the 1<sup>st</sup> accused, I find no compelling reason militating against the 1<sup>st</sup> accused's constitutional right to bail.

3. I note the DPP in his submissions expressed two reservations.

1. That the 1<sup>st</sup> accused should not get into contact with deceased person's family members.

2. The 1<sup>st</sup> accused should not interfere with business premises of the deceased.

4. Naturally, I would be inclined to restrict 1<sup>st</sup> accused's contact with the family of the deceased in so far as that contact is at their homes.

5. As regards interference with business, that is a matter better left to this court's other jurisdiction in civil and commercial matters.

6. I admit the accused person to bail. She is to execute a personal bond of Kshs. 500,000/= plus one surety of like sum. The 1<sup>st</sup> accused shall not leave the jurisdiction of court without the leave of this court. The 1<sup>st</sup> accused shall not visit the homes of the deceased person's family.

Orders accordingly.

Ruling read in open court.

**Dated and Delivered at Nakuru this 14<sup>th</sup> day of December, 2018.**

**A. K. NDUNG'U**

**JUDGE**