



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NYAMIRA

HCCR NO.35 OF 2015

REPUBLIC.....STATE

-VERSUS-

GEOFFREY ANYONA OYUGI.....ACCUSED

R U L I N G

On 22nd October Nyawencha, Counsel applied for review of the bond terms for Geoffrey Anyona Oyugi, the accused herein. The prosecution has not todate filed its response on the said application.

However, the court, called for the pre-bail assessment report as a guidance.

The report was duly filed on 01/02/2016.

In the court's ruling on bond, the court denied bond to the accused on several reasons: the community from which the accused comes were vehemently against the accused's release as their bitterness and anger was very evident. Second, it also relied on another factor regarding the accused as a person who suffers intermittently from mental lapses which make him confrontational and violent to who never he met. The court therefore, denied how bond on the basis that the victim's family may be seething with bitterness.

The probation report for brought out the following:

Victim Attitude: expressed no objection to the accused person being accorded bond as long as he attends all court appointments.

Family Attitude: the family are willing to assist him meet bond terms.

Community attitude: He is not considered a threat to security.

Conclusion: He is of fixed abode. The report recommends his admission to bond.

Accordingly, the accused is hereby released on personal bond of Kshs.500, 000/= with one surety of similar amounts on condition that:

1. **He attends mention of his case every month.**
2. **Does not default in court attendance when so required.**
3. **Any one default the terms of the bond, the bond will immediately cancelled and surety made to account.**

The first such mentioned to be on 12th February 2016.

It is so ordered.

C.B. NAGILLAH

JUDGE

In the presence of:-

.....for Applicant

.....for Respondent

.....Court Clerk