



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT KERICHO**  
**CRIMINAL CASE NO. 5 OF 2016**

RICHARD KIMUTAI RONO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

**RULING.**

By way of a Notice of Motion application dated 18<sup>th</sup> February, 2016 and which is expressed to be brought under **Section 23** of the **Criminal Procedure Code** and **Article 49 (h)** of the **Constitution** the Applicant seeks to be admitted to bond pending the hearing and determination of his criminal case.

The grounds are that the applicant is a Kenyan Citizen with a fixed known abode. His family resides within the jurisdiction of this Court and that he is the sole bread winner. Further that he is ready to abide with the terms and conditions that the court may impose.

In his replying affidavit the investigating officer depones that the accused is a relative of the deceased person as well as the witnesses.

That there is high likelihood that he will interfere with the witnesses.

Further its deponed that this offence was committed on 27<sup>th</sup> day of April, 2015 and the Accused was arrested on 19<sup>th</sup> January, 2016 having been in hiding for close to one (1) year and that he is likely to abscond if released on bond.

After a careful analysis of the rival arguments presented before the court, I am of the considered view that there is need for a pre bond report on the accused. It is ordered that same be prepared by a probation officer within seven (7) days from today.

The main case to proceed to hearing on 2<sup>nd</sup> June, 2016.

Mention on 13<sup>th</sup> April, 2016 for probation report.

**DELIVERED, SIGNED AND DATED THIS 7TH DAY OF APRIL, 2016.**

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**M. MUYA**

**JUDGE**

**In the presence of:**

1. Mr. Lopokoyoit for the State
2. Mr. Maengwe for the Accused/Applicant
3. Hillary- court assistant