



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CRIMINAL CASE NO. 37 OF 2014**

**REPUBLIC..... PROSECUTOR**

**VERSUS**

**JOYCE KAREMA ..... 1<sup>ST</sup> ACCUSED**

**MUA THURANIRA ..... 2<sup>ND</sup> ACCUSED**

**JACKSON KAUMBUTHU ..... 3<sup>RD</sup> ACCUSED**

**RULING**

Accused 2 and 3 filed a Notice of Motion dated 5/4/2016 seeking to be released on bond pending the hearing of this case. This is the second such application, the first one having been dismissed by J. Lesiit on 22/9/2014. This time round, the prosecution did not oppose the application. The main reason why the court declined to grant the accused 2 and 3 bond was because there was still tension in the community and the security to their lives could not be guaranteed as there were likely retaliatory attacks.

Two pre-bail reports have been presented to the court. The 2<sup>nd</sup> accused was described as a person who has not been in conflict with the law before, hard working and that there was no possibility of absconding or interfering with witnesses. It was also pointed out that there are no longer threats of retaliatory attacks against the accused 2 as accused 1 has been out on bond and there has been no threat to her life. Similar sentiments were recorded on behalf of accused 3.

From a consideration of the pre-bail reports, I find that there are no compelling reasons to deny the accused persons bond. I therefore allow the application. Each accused may be released on **cash bail of KShs.50,000/=** or **bond of KShs.250,000/= with one surety of like sum.**

**DATED, SIGNED AND DELIVERED THIS 11<sup>TH</sup> DAY OF JULY, 2016.**

**R.P.V. WENDOH**

**JUDGE**

**11/7/2016**

**In the Presence of:**

Mr. Mulochi for State

Miss Timbaru for Accused

Ibrahim/Peninah, Court Assistants

Accused 2 and 3