

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

CRIMINAL CASE NO. 36 OF 2016

REPUBLIC PROSECUTOR

VERSUS

SILAS MUKIRA1ST ACCUSED

**STANLEY THIAINE 2ND
ACCUSED**

RULING

By the Notice of Motion dated 25th and 26th/7/2016, the two accused persons sought to be released on bond pending the hearing of this case where they are **charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code**. The grounds in which bail was sought are that the accused are not a flight risk being residents of Meru County, where they have families; that they will abide by any conditions that the court may impose and that the case might take too long to determine which will prejudice their rights.

On 13/7/2016, Mr. Njuguna Kinuthia, on behalf of DCIO Tigania, wrote to the court indicating that they had no objection to the release of the accused on bond.

The court called for pre-bail reports in which the Probation Officer observed that the community where the accused hail from and the administration were not opposed to the accused being released on bond having been people of good character; they have families in the area where they carried out legitimate businesses; and that they are unlikely to abscond. It was also noted that the deceased's family did not seriously oppose the release of the accused on bond.

There being no compelling reasons disclosed, the court grants the application made by both accused. Each accused may be released on **bond of KShs.200,000/= plus one surety of like amount or cash bail of KShs.60,000/= each**.

DATED, SIGNED AND DELIVERED THIS 10TH DAY OF OCTOBER, 2016.

R.P.V. WENDOH

JUDGE

10/10/2016

PRESENT

Mr. Mulochi for State

Mr. Nyenyire Holding Brief for Mr. Nyauchi for 1st Accused and for Mr. Mbogo for 2nd Accused.