



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL CASE NO. 37 OF 2016

REPUBLIC.....PROSECUTOR

VERSUS

JEREMIAH KAMONGO.....1ST ACCUSED

PETER THURANIRA.....2ND ACCUSED

RULING

Jeremiah Kamongo and Peter Thuranira face a charge of murder contrary to **Section 203 as read with Section 204 of the Penal code.**

By an application dated 8/8/2016, they seek to be released on bond pending hearing of this case. Each of the accused swore an affidavit in support of the application. They deponed that they have been advised that they have unqualified right under the Constitution, to bond because they are deemed innocent till proven otherwise; that their continued detention is a breach of their rights; that they will faithfully attend court as will be required of them; that they are Kenyan citizens and have fixed places of abode.

PC Boniface Muli, the Investigations Officer wrote a note to the court indicating that there are no compelling reasons to deny the accused persons bond.

The court called for pre-bail reports which I have considered. In accused1's report, the community depicts him as a trustworthy person who has not been involved in any anti-social behaviour and is unlikely to abscond. The family of the accused is however objecting to the grant of bond.

Accused 2 is also depicted as an honest, hardworking person. The deceased's family does not seem to suspect him and there is no probability of revenge attacks on him nor is he a flight risk.

Having considered the affidavits and pre-bail reports, I find that there are no compelling reasons to deny the accused persons bond. Each accused may be released on **bond of KSh.150,000/- with one surety of the same amount or cash bail of Kshs.50,000/-.**

DATED, SIGNED AND DELIVERED THIS 14TH DAY OF NOVEMBER, 2016.

R.P.V. WENDOH

JUDGE

14/11/2016

PRESENT

Mr. Mulochi for State

Kaumbi Holding Brief for Mr. Kiogora for Accused

Ibrahim/Peninah, Court Assistants

Present, Accused