



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

CRIMINAL CASE NO. 69 OF 2011

REPUBLIC.....PROSECUTOR

VERSUS

HENRY NYABUTO ONYONI.....ACCUSED

RULING

1. The accused herein **HENRY NYABUTO ONYONI** is charged with the offence of murder contrary to section 203 as read with section 204 of the Penal Code. It is alleged that he murdered **BOCHERE ONYONI** on the 12th July, 2011 at Boikang'a sub location in South Gucha District within Kisii County. He is alleged to have committed the offence jointly with others who are not before the court.
2. The accused made his bond application on 23rd February, 2012 seeking to be released on bond pending trial.
3. In its ruling on this bond application, the court released the accused on his own personal bond of kshs. 10,000,000 plus to sureties of similar amount.
4. The accused says, he has been unable to execute the bond as the terms are prohibitive and unaffordable for him. He seeks the review of the bond term to manageable level. He can get only one surety.
5. The court therefore wish to review the bond terms as herebelow:-
 1. *A personal bond of kshs. 5,000,000 with one surety.*
 2. *The surety shall be approved by the Deputy Registrar of this Honourable court.*
 3. *The accused shall appear before court every thirty (30) days for mention until the case is heard and determined until further orders of this court.*
 4. *Mention to follow the chronological sequence first set by this court on 20th December, 2012.*
 5. *In default of any one appearance, the bond shall stand cancelled.*
6. It is so ordered.

Dated and delivered at KISII this 7th day of November, 2014.

C.B. NAGILLAH,

JUDGE.

In the presence of:-

Omwega holding brief for Okenye for the applicant.

No state representation for the respondent

Edwin Mongare Court Clerk.