



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**CRIMINAL DIVISION**

**CRIMINAL CASE NO.102 OF 2013**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**LEAH MUTHONI IKENYE.....ACCUSED**

**RULING**

Leah Muthoni Ikenye, the accused herein, is charged with **Murder** Contrary to **Section 203** as read with **Section 204** of the **Penal Code**. The particulars of the offence are that on 6<sup>th</sup> October 2013 at Kinoo 87 Ucommon Flats in Dagoretti District of Nairobi County, the accused murdered Adrian Ochingwa Kabala. The accused pleaded not guilty to the charge. The trial is yet to commence. The accused applied to be released on bail pending the hearing and determination of the case. The application is predicated upon **Section 49(1)(h)** of the **Constitution**. The application is not opposed. Ms. Mwaniki for the State stated that the accused maybe released on bond provided that she undertakes not to contact any of the prosecution witnesses, reports to court at least once a month for mention of the case and finally, deposit cash bail of Kshs.1 million with a surety of a similar amount. Mr. Wandugi for the accused is not opposed to these proposed bail terms.

In the premises therefore, the accused is ordered released on bail pending the hearing and determination of the case. This release on bail is conditional upon the accused giving an undertaking that she will not get into contact or interfere with the witnesses. She will further be required to appear in court at least once a month for mention before the Deputy Registrar of the Court until the conclusion of the case or until further orders of the court. The accused shall further be required to pay a cash bail of Kshs.1 million or deposit bond of Kshs.2 million with one surety of a similar amount. The accused shall abide by the terms of bail and appear in court during the hearing of the case without fail. It is so ordered.

**DATED AT NAIROBI THIS 5<sup>TH</sup> DAY OF NOVEMBER 2014.**

**L. KIMARU**

**JUDGE**