

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MACHAKOS
CRIMINAL CASE NO. 21 OF 2014

TITUS MUTUA KILONZO.....1ST ACCUSED/APPLICANT

RICHARD MBUVI KYENGO.....2ND ACCUSED/APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

R U L I N G

1. The application dated **25th August 2014** is for bail pending trial. It is premised on grounds that the applicants have a permanent place of abode; they are not a flight risk; they have good antecedents and are of moral standing; they are willing to abide with terms to be set by the court and there are no compelling reasons to deter them from being admitted to bail.
2. The application is unopposed.
3. Bail is a constitutional right. According to the provisions of **Article 49(1) (h)** of the Constitution, an accused person can only be denied bail if there are compelling reasons requiring his incarceration. The fact that the accused persons herein are charged with murder would be no good reason to deny them bail.
4. In the circumstances I grant each accused person bond of **One Million (Ksh.1,000,000/=)** with a surety in a similar sum.
5. It is so ordered.

DATED, SIGNED and DELIVERED at MACHAKOS this 4TH day of DECEMBER, 2014.

L.N. MUTENDE

JUDGE