



**REPUBLIC OF KENYA**

Cases in Magistrate Courts

**Criminal Case 36 of 2012**

REPUBLIC.....PROSECUTOR

V

PAUL OTIENO OLUM.....ACCUSED.

RULING

The accused is charged with murder c/sec 203 as read with S. 204 of the Penal Code. The particulars are that on 4.9.2010 at Kakelo Kamroth Sub Location in Rachuonyo South District within Homa Bay County he murdered Emmaculate Atieno Onyonga.

He denied the charge and has through his Advocate Miss Nekesa applied to be released on bond pursuant to Article 49(1) (h) of the Constitution.

The State did not oppose. The court was only urged to impose conditions that will ensure that the accused person will not abscond. It is therefore my finding that there are no compelling reasons not to release the accused person. Moreover the conditions imposed ought to be reasonable. Accordingly I do grant bond to the accused person on the following terms.

***1. That he shall execute a bond of Kshs.3 million and furnish the court with 2 substantial sureties of similar amount.***

***2. The sureties be examined and approved by the Deputy Registrar.***

***3. That pending his trial the accused person shall attend court for mention once every month the first such mention being on 31.5.2013.***

**4. *Hearing on 18.6.2013.***

Signed and delivered at Homa Bay this 3rd day of May, 2013.

**E.N. MAINA**

**JUDGE.**

In the presence of:

Miss Valery for the Republic

Miss Nekesa for the Accused.

Eudice Okombo Dholuo interpreter.

Accused person.