



**Republic v Karanja (Sexual Offence E070 of 2025)
[2025] KEMC 239 (KLR) (30 September 2025) (Ruling)**

Neutral citation: [2025] KEMC 239 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
SEXUAL OFFENCE E070 OF 2025
PA NDEGE, SPM
SEPTEMBER 30, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

DAVID NJOROGE KARANJA ACCUSED

RULING

1. The accused, David Njoroje Karanja, is charged with the offence of defilement contrary to section 8(1) as read with section 8(3) of the *Sexual Offences Act* No. 3 of 2006; and in the alternative, Committing Indecent Act with a Child contrary to section 11(1) of the same *Act*. The particulars are that on diverse dates between the month of May and 21/06/2025 at [Particulars withheld], Mau-Narok area in Njoro sub-County within Nakuru County, he unlawfully and intentionally caused his penis to penetrate the vagina of F. W. a child aged 15 years. The particulars in the alternative charge are that on the same dates and at the same area, he unlawfully and intentionally touched the vagina of F. W. a child aged 15 years with his penis. Accused applied to be released on cash bail pending trial.
2. I shall be guided by the *Bail and Bond guidelines* and Article 49(1)(h) of *the constitution* of Kenya, 2010 which provides that an arrested person has the right to be released on bond or bail, on reasonable conditions, pending a charge or trial, unless there are compelling reasons not to be released.
3. The Pre- Bail Report presented to the court reveals that the accused is a 23-year old young man who at the time of arrest was training as a mechanic at [Particulars withheld] area. That he admits knowing the victim and her family since they are from the same area. He is not a flight risk and has a fixed place of abode. His maternal uncle is willing to bail him out and that his request for a favourable bail or bond terms be granted so as to meet his family's plight. The victim's mother however strongly opposed any bond term to the accused.



4. In setting bail terms, this court must weigh the accused's right to liberty against the need to ensure his attendance at trial. The accused is facing a sexual violent offence with a lengthy minimum mandatory sentence. The court however finds no reasons to deny him bail terms but is mindful of the psychological effects the crime herein has had on the victim as noted in the pre-bail report.
5. It is then, guided by the above reasoning, the accused to be admitted to:
 - a. Cash bail in the sum of Kshs. 95,000/=
 - b. Prior to release, he shall provide the court and police with a verifiable contact person and location of where he can be reached.
 - c. Failure to comply with these conditions shall result in revocation of bail.

DATED, SIGNED AND DELIVERED AT NAKURU THIS...30TH . DAY OF...SEPTEMBER....2025

ALOYCE- PETER -NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Court interpreter: Janet

Prosecution counsel: Macharia

Accused: Present

Victim: n/a

