



**Republic v Kipyegon (Criminal Case E014 of 2025)
[2025] KEHC 15624 (KLR) (29 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 15624 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KABARNET
CRIMINAL CASE E014 OF 2025
RB NGETICH, J
OCTOBER 29, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

JACKSON KIPKWE KIPYEGON ACCUSED

RULING

1. The accused Jackson Kipkwe Kipyegon is charged with the offence of Murder contrary to Section 203 as read with Section 204 of the Penal Code. Particulars are that on the 10th September 2025 at Tetemwo, Kimondis location, Marigat subcounty within Baringo county, the accused murdered George Kimuge Kipyegon.
2. The accused seeks to be released on bond pending trial pursuant to Article 49(1)(h) of *the Constitution*, which guarantees the right to bail unless there are compelling reasons for denial. The court called for pre-bail report to assist establish whether there are compelling reasons to deny accused bond or not and the report was filed on 28th October 2025.

Pre-bail Report

3. From the report, the accused has no history of jumping bond or drug abuse. He understands the seriousness of the offence. The victim herein is accused's brother. The accused's brother who was available for interview said they are not opposed to accused being released on bond.
4. The local administrator also described the accused as a person well known in the community as being a responsible and trustworthy person and they do not view him as a flight risk or security risk. They are not opposed to accused being released on bond. From the report, the accused has identified a person to stand surety.



Determination

7. Article 49(1)(h) of *the Constitution* guarantees the right to bail unless compelling reasons are demonstrated. The burden lies on the prosecution to establish such reasons. The principles on bail/ bond have been restated in Republic v. Danson Mgunya & Another [2010] eKLR and Ng'ang'a v. Republic [1985] KLR 451 where the court held that key considerations for bond include: -
- a) The nature and seriousness of the offence.
 - e) Public interest and security concerns.
 - d) The accused's character, antecedents, and likelihood of absconding.
 - c) The likelihood of interference with witnesses.
 - b) The strength of the prosecution case.
7. The deceased herein was accused's brother. From the sentiments given by victim's family who are also accused's family together with local administration, the accused is a responsible person who is respected in the community. They say his release will not pose any danger in the community neither is he a flight risk. They are not opposed to accused's release on bond. From the foregoing, I see no compelling reason to deny accused bond.
7. Final orders: -
- Accused may be released on bond of kshs 500,000 with one surety of a similar amount.

RULING DELIVERED, DATED AND SIGNED VIRTUALLY AT KABARNET THIS 29TH DAY OF OCTOBER, 2025.

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RACHEL NGETICH

JUDGE

In the presence of:-

- Ms. Bartilol for State.
- Mr. Kipkulei for accused.
- Accused present.
- CA, Elvis/Momanyi.

