



**Republic v Chumba (Criminal Case E009 of 2025)
[2025] KEHC 14826 (KLR) (16 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14826 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KABARNET
CRIMINAL CASE E009 OF 2025
RB NGETICH, J
OCTOBER 16, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

MIRIAM JEBET CHUMBA ACCUSED

RULING

1. The accused, Miriam Jebet Chumba is charged with the offence of Murder contrary to Section 203 as read with Section 204 of the Penal Code.
2. The accused has applied 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.
3. Prebail report was filed as directed by court.

Pre-Bail Report

4. A pre-bail report was filed by the Probation Officer. It indicates that the applicant is a first offender. From the report, the accused suffered depression as a result of family issues. Her condition deteriorated and resulted in her killing her 6 months old child. She was a mother of 9 children 3 of whom are deceased. The children who are alive fear having the accused released to them as they feel their safety will be compromised.
5. The community stated that the applicant was well known in the community as an introvert and that she started avoiding people after joining repentance and holiness church including her own family members accusing them of being unclear. The local administration is opposed to her release to the community due to her conduct and no one within her family circle is willing to stand surety for her.



Determination

6. 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.
7. The principles on bail have been restated in Republic v Danson Mgunya & Another [2010] eKLR and Ng'ang'a v Republic [1985] KLR 451. Key considerations include:
 - a) The nature and seriousness of the offence.
 - 3b) The strength of the prosecution case.
 - c) The likelihood of interference with witnesses.
 - d) The accused's character, antecedents, and likelihood of absconding.
 - e) Public interest and security concerns.
8. In view of the above, I have considered sentiments given by the accused's family, local administration and the community and I am of the view that it would be in the interest of justice to remand the accused for security of her own family who are in fear that she may harm them. There are therefore compelling reasons to deny accused bond.
9. Final Orders:-denied bond.
 - a) The accused is denied bond.
 - b) The accused to be remanded in custody and be accorded treatment by a psychiatrist.

It is so ordered.

RULING DELIVERED, DATED AND SIGNED VIRTUALLY AT KABARNET THIS 16TH DAY OF OCTOBER, 2025.

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RACHEL NGETICH

JUDGE

In the presence of:

CA Momanyi

Ms. Bartilol for state

Applicant

