



REPUBLIC OF KENYA

IN THE CHIEF MAGISTRATE'S COURT AT NAKURU LAW COURTS.

CRIMINAL CASE NO E045 OF 2025

REPUBLIC..... PROSECUTION

VERSUS

JEREMIAH NJENGA MAINA..... ACCUSED

RULING

1. The accused person herein, Jeremiah Njenga Maina, is charged with the offence of Malicious Damage to Property contrary to section 339(2) of the penal code. The particulars are that on the 02nd day of January 2025 at Tabuga area, Nakuru North Sub-County within Nakuru County, he unlawfully and intentionally demolished a mud house valued at Kshs. 80,000/- the property of Jeremiah Njenga Karuga.
2. The accused denied the offence and was ordered that he be released on a bond of Kshs. 150,000/- with 1 surety of a similar amount. The accused has now applied for a bail and bond review. I am 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. The learned prosecution counsel, **Mr. Macharia**, has not objected to the review.

3. In reviewing the bail and bond terms, this court must weigh the accused's right to liberty against the need to ensure his attendance at trial. 4 witnesses have so far testified herein and the violent manner in which the offence herein is alleged to have been committed has come out from their testimonies. The accused is thus facing a violent offence. It is then, guided by the above reasoning, the accused to be admitted to:

- a. Bond of Kshs. 75,000/- with 1 surety of a similar amount; or a Cash bail in the sum of Kshs. 25,000/-.
- b. Shall report to the Officer Commanding station (OCS) Githioro Police Station, once every two weeks.
- c. Failure to comply with these conditions shall result in revocation of bail and bond.

DATED, SIGNED, AND DELIVERED THIS 18TH. DAY OF NOVEMBER...

2025

HON ALOYCE PETER NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Court interpreter: Wakesho

Prosecution Counsel: Konga

Accused: Present

Victim: n/a