



**Republic v Ongweno (Criminal Case E2569 of 2024)
[2025] KEMC 298 (KLR) (9 December 2025) (Ruling)**

Neutral citation: [2025] KEMC 298 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
CRIMINAL CASE E2569 OF 2024
PA NDEGE, SPM
DECEMBER 9, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

WILLIAM OTIENO ONGWENO ACCUSED

RULING

1. The accused person herein, William Otiemo Ongweno, is charged with the offence of Stealing contrary to section 268 as read with 275 of the Penal Code. The particulars are that on diverse dates between February 2024 and November 2024 at unknown time at Winstar hardware located at Barnabas area, in Nakuru East sub-County, within Nakuru County, he stole PPR $\frac{3}{4}$ roll pipe, 2 cistern, 3 pillar taps and other hardware assorted goods all valued at Kshs. 1,893,993/= the property of Michael Mburu.
2. The accused denied the offence and was ordered that he be released on a bond of Kshs. 2,000,000/- 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. The only witness who came to testify herein was stood down on the basis that some issues ought to be clarified first before the hearing continues. Further, the accused is facing a non-violent offence. It is then, guided by the above reasoning, the accused to be admitted to: Bond of Kshs. 500,000/- with 1 surety of a similar amount; or a Cash bail in the sum of Kshs. 150,000/-. Failure to comply with the bail/bond conditions shall result in revocation of bail and bond.

DATED, SIGNED, AND DELIVERED THIS 09TH DAY OF DECEMBER, 2025



HON ALOYCE PETER NDEGE
SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Court interpreter: Wakesho

Prosecution Counsel: Macharia

Accused: Present

Victim: n/a

