



**State v Onyango & 3 others (Criminal Case E015 of 2023)  
[2026] KEHC 117 (KLR) (19 January 2026) (Ruling)**

Neutral citation: [2026] KEHC 117 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL CASE E015 OF 2023  
DK KEMEL, J  
JANUARY 19, 2026**

**BETWEEN**

**STATE ..... PROSECUTION**

**AND**

**LAMECK SULWE ONYANGO ..... 1<sup>ST</sup> ACCUSED**

**CALVINCE PETER OMONDI WAMO ..... 2<sup>ND</sup> ACCUSED**

**KELVIN ONYANGO OCHIENG ..... 3<sup>RD</sup> ACCUSED**

**CALEB WASONGA WAGA ..... 4<sup>TH</sup> ACCUSED**

**RULING**

1. All three accused persons herein have been charged with an offence of murder contrary to Section 203 as read with Section 204 of the Penal Code. The particulars are that on diverse dates of 24<sup>th</sup> and 27<sup>th</sup> May 2023 at Atilili village, Bar Kowino Sub Location, Bondo town Location, Bondo Sub County within Siaya County jointly with others not before court murdered one Allan Otieno Onyango.
2. Upon the entry of plea in which the accused persons denied the charges, this court proceeded to grant each of the accused persons a bond of Ksh500,000/= plus one surety of similar amount or an alternative cash bail of Ksh100,000/=. Apparently, all the accused persons except the 3<sup>rd</sup> accused have managed to post bail. Later the 1<sup>st</sup> accused passed on while the 2<sup>nd</sup> accused's surety later withdrew and therefore currently it is the 2<sup>nd</sup> and 3<sup>rd</sup> accused who are in custody while the rest are out on bond.
3. On the 7/10/2025, learned counsel for the 3<sup>rd</sup> accused sought for review of bond for the said 3<sup>rd</sup> accused as well as the 2<sup>nd</sup> accused as they have not managed to post bail. Learned counsel urged the court to allow each of the two accused persons to deposit cash bail of Ksh50,000/= and that they undertake to attend court without fail.



4. Learned counsel for the prosecution submitted that the orders on bail should be maintained and further added that the previous pre-bail reports were not favourable for the accused persons. It was finally submitted that the bond terms already set are sufficient.
5. I have considered the request for review of bond. I have also perused the previous pre-bail report that had been filed and I find the same favourable. However, the bond terms earlier set are reasonable and that the accused is directed to secure sureties to stand for him if he is unable to post the cash bail of Ksh100,000/=. It is instructive that this is a serious offence which attracts severe sentence upon conviction and therefore it is proper that the accused avails a surety.
6. In the result, the request for review of bond pending trial is declined. The accused persons should abide by the earlier bond terms.

**DATED AND DELIVERED AT SIAYA THIS 19<sup>TH</sup> DAY OF JANUARY 2026.**

**D. KEMEI**

**JUDGE**

In the presence of :

Calvince Peter Omondi.....2<sup>nd</sup> accused.

Kelvin Onyango Ochieng.....3<sup>rd</sup> accused.

Ooro F.....for both accused.

Soita.....for Respondent.

Maureen/Kimaiyo....Court Assistant.

