



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NANYUKI**

**CRIMINAL CASE NO. 7 OF 2016**

**REPUBLIC ..... STATE**

**VERSUS**

**ANTHONY KIPLANGAT .....ACCUSED**

**RULING**

1. **ANTHONY KIPLAGAT** having pleaded not guilty to a murder charge is presently going through his trial. He has applied that he be released on bail now for the third time. The two previous applications were declined because there was intimation in the probation officers report that if released on bail the accused's life would be in danger from members of the community in Nanyuki. The court also declined because there was a concern of the investigating officer and the deceased's son that the accused could interfere with witness who are known to him.

2. The accused in making this third application for bail has failed to show to the court, circumstances, the basis upon which the court previously declined to grant bail has change.

3. The prosecution's case is still on going. Since there are prosecution's witnesses who have not yet testified there is the possibility of the accused interfering with those witnesses. In addition the risk posed to the accused, if he is release is still very real.

4. In view of the above there is no basis for reviewing the accused's bail. The application for review is declined.

**Dated and Delivered at Nanyuki this 4<sup>th</sup> October 2017**

**MARY KASANGO**

**JUDGE**

**CORAM**

Before Justice Mary Kasango

Court Assistant:Njue/Mariastella

For the State: .....

For accused: .....

Accused: Anthony Kiplangat .....

**COURT**

Ruling delivered in open court.

**MARY KASANGO**

**JUDGE**



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