



**REPUBLIC OF KENYA**

**High Court at Kisumu**

**Criminal Case 56 of 2012**

**REPUBLIC ..... RESPONDENT**

**VERSUS**

**VINCENT OCHIENG OGOMBE .....ACCUSED**

**RULING**

The application dated 28<sup>th</sup> September 2012 seeks that the accused person be released on bond. When the same come up for hearing I ordered that a prebail report be prepared for consideration.

I have been shown the report filed in court on 20<sup>th</sup> November 2012. The same is favourable although there was uncertainty on the part of the deceased family members.

The issue of bond or bail is discretional although it is now settled that the same is a constitutional right.

In the premises I do make the following orders:-

- a) **The accused is released on a bond of Kshs. 1,500,000 with a surety of similar amount.**
- b) **The accused shall attend court every month for the mention of this case till the same is determined.**
- c) **During the subsistence of this case the accused shall in no way interfere with the witnesses or in anyway impeach the hearing and determination of this case.**

Orders accordingly.

**Dated, signed and delivered at Kisumu this 28<sup>th</sup> day of November 2012**

**H. K. CHEMITEI**

**JUDGE**

**In the presence of:**

Kiprop for State Counsel

Omondi for Appellant

*HKC/aao*



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