



Republic v Onzere (Criminal Case 16 of 2021) [2024] KEHC 7810 (KLR) (24 June 2024) (Ruling)

Neutral citation: [2024] KEHC 7810 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VIHIGA
CRIMINAL CASE 16 OF 2021**

JN KAMAU, J

JUNE 24, 2024

BETWEEN

REPUBLIC PROSECUTION

AND

HESBON MUTONGI ONZERE ACCUSED

RULING

1. This matter was partly heard by Njagi and Musyoka JJ. Njagi J took the evidence of Agnetah Kalewa Kitale (hereinafter referred to as “PW 1”) and Maclard Amugune (hereinafter referred to as “PW 2”) while Musyoka J took the evidence of Dr Masika Collins Were (hereinafter referred to as “PW 3”) and that of Veronica Musindi Mzee (hereinafter referred to as “PW 4”).
2. This court became seized of this matter on 8th March 2023. It took the evidence of Sharon Madiga Vikini (hereinafter referred to as “PW 5”), Farex Muyera (hereinafter referred to as “PW 6”), Sharon Khavochi Lijodi (hereinafter referred to as “PW 7”), No 86488 PC Joshua Mwanja (hereinafter referred to as “PW 8”) and No 80056 Sergeant James Makoba (hereinafter referred to as “PW 9”).
3. On 11th March 2024, the Prosecution closed its case after calling a total of nine (9) Prosecution witnesses.
4. Neither the Prosecution nor the Accused person filed Written Submissions on the question whether or not the Accused person had a case to answer or not. The Prosecution indicated that it would rely on the evidence on record.
5. Having carefully considered the evidence of the said Prosecution witnesses, the court was of the opinion that a *prima facie* case had been established against the Accused person herein to warrant him being put on his defence. He is hereby put on his defence.
6. It is so ordered.

DATED AND DELIVERED AT VIHIGA THIS 24TH DAY OF JUNE 2024



J. KAMAU
JUDGE

