



**Republic v Chebonya (Criminal Case E050 (Murder) of 2023)  
[2024] KEHC 9916 (KLR) (29 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9916 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUNGOMA  
CRIMINAL CASE E050 (MURDER) OF 2023**

**DK KEMEI, J**

**JULY 29, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**SWEDEN KIPSANG CHEBONYA ..... ACCUSED**

**RULING**

1. Court: I have given the consideration to the evidence adduced at this stage of the proceedings by the seven ( 7) prosecution’s witnesses. I find that the accused herein Sweden Kipsang Chebonya has been placed at the scene of crime hereby requiring him to offer an explanation as to how the deceased met his death. Consequently , I find that the prosecution has established a prima facie case against the accused tow arrant him to be called upon to make a defence. I find the accused has a case to answer and is now called upon to elect to conduct in accordance with the provisions of Section 306 (3) of the [Criminal Procedure Code](#).

**DATED AT BUNGOMA THIS 29<sup>TH</sup> DAY OF JULY, 2023.**

**D KEMEI**

**JUDGE**

7.2024

In the presence of :-

Wanjala for the accused

Kibet for the prosecution

Kizito Court Assistant

