



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Mwa & 5 others (Criminal Case 7 of 2020)
[2023] KEHC 3395 (KLR) (26 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3395 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAHURURU
CRIMINAL CASE 7 OF 2020
CM KARIUKI, J
APRIL 26, 2023**

BETWEEN

REPUBLIC PROSECUTION

AND

HARRISON MWA 1ST ACCUSED

JOHN KIMWELI MUSAU 2ND ACCUSED

LINUS KIPNGETICH TORER 3RD ACCUSED

JOSEPH MUREITHI 4TH ACCUSED

DAVID KIPKEMOI 5TH ACCUSED

MAGDALENE NAPHAPEI 6TH ACCUSED

RULING

1. The Six Accused persons were charged with murder offence contrary to section 203 as read with section 204 of the [Penal Code](#) Cap 63 Laws of Kenya.
2. The particular being that on 3rd day of August 2015 at Gatirima village, Kiambogo Location, within Laikipia County jointly murdered Mary Chepkorir Kiprotich alias Doctor.
3. They pleaded not guilty and matter went into full hearing.
4. The Prosecution called fifteen (15) witnesses and the Court is called to determine whether the Accused persons have a case to answer.
5. The Court has keenly perused the evidence of the account of the eye witnesses and the medical evidence on record. The overall evidence discloses a *prima facie* case of murder and thus Accused persons are put on their defence.



DATED, SIGNED AND DELIVERED AT NYAHURURU THIS 26TH DAY OF APRIL 2023.

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CHARLES KARIUKI

JUDGE

