



**Republic v Shiboka (Criminal Case E035 of 2021)
[2023] KEHC 17897 (KLR) (31 May 2023) (Ruling)**

Neutral citation: [2023] KEHC 17897 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL CASE E035 OF 2021**

**JK SERGON, J
MAY 31, 2023**

BETWEEN

REPUBLIC PROSECUTOR

AND

JOSHUA OPEMBE SHIBOKA ACCUSED

RULING

1. Joshua Opembe Shiboka, the Accused herein is charged with the offence of Murder Contrary to Section 203 as read with 204 of the [Penal Code](#). Particulars of the information dated March 29, 2021, are that on February 25, 2021 at Majengo Estate, Township Sub-Location in Kericho East Sub-County, within Kericho County, the Accused murdered Kennedy Otieno Chila.
2. The accused, according to the court records, was arrested on March 21, 2021 and arraigned in court on March 29, 2021. He was mentally examined on March 25, 2021 and found to be mentally sound and fit to stand trial.
3. On July 6, 2021, the accused took plea and pleaded not guilty to the charge of murder. The prosecution called seven (7) witnesses who testified in support of its case.
4. Having considered the evidence tendered by the Prosecution, I am satisfied that the prosecution has established a *prima facie* case therefore the accused has a case to answer.
5. I accordingly place the accused on his defence, section 211 of the [Criminal Procedure Code](#) cap 75 Laws of Kenya to be complied with.

DATED, SIGNED AND DELIVERED AT KERICHO THIS 31ST DAY OF MAY, 2023

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J. K. SERGON



JUDGE

In the presence of:

C/Assistant – Rutoh

Prosecutor - Musyoki

Langat for the Accused

