



**Republic v Mateche & another (Criminal Case 29 of 2016)
[2023] KEHC 18762 (KLR) (26 May 2023) (Ruling)**

Neutral citation: [2023] KEHC 18762 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE 29 OF 2016
PJO OTIENO, J
MAY 26, 2023**

BETWEEN

REPUBLIC PROSECUTION

AND

SAMWEL MATECHE 1ST ACCUSED

SILAS MATECHE 2ND ACCUSED

RULING

1. Having perused the evidence recorded from the 5 witnesses, the court finds that the evidence of PW1 points the accused at the scene of the crime and alleges that the deceased was assaulted by the accused.
2. The court finds that a rebuttable proof has been established linking the accused to the offence thus calling for their say toward the rebuttal of that evidence.
3. I find both have a case to answer and put them on their defence.

DATED, DELIVERED AND SIGNED AT KAKAMEGA THIS 26TH DAY OF MAY 2023.

PATRICK J. O. OTIENO

JUDGE

In the presence of:

Ms. Chala for the Prosecution/State

No appearance for Mr. Momanyi for the Accused

Court Assistant: Polycap

