



**Republic v Lubakha (Criminal Case E006 of 2023)
[2023] KEHC 20931 (KLR) (28 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20931 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
CRIMINAL CASE E006 OF 2023
WM MUSYOKA, J
JULY 28, 2023**

BETWEEN

REPUBLIC PROSECUTION

AND

CHARLES WANZALA LUBAKHA ACCUSED

RULING

1. I have perused the record, and I had the advantage of hearing all the witnesses herein. 3 witnesses testified to seeing the accused hit the deceased on the head with a rungu or fimbo. I am persuaded that the Republic has adduced evidence to establish a prima facie case against the accused herein, sufficient to support a finding that the accused has a case to answer, to warrant his being put on his defence.

RULING DELIVERED, DATED AND SIGNED IN OPEN COURT AT BUSIA THIS
.....28THDAY OF.....JULY..... 2023**

WM MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Appearances

3. Mr. Mayaba, instructed by the Director of Public Prosecutions, for the Republic.

P4. Mr. Okutta, instructed by Gona Joyce, Advocate for the accused person.

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