



**Republic v Mwaniki & 4 others (Criminal Case 3 of 2017)  
[2023] KEHC 20700 (KLR) (26 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20700 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAHURURU  
CRIMINAL CASE 3 OF 2017  
CM KARIUKI, J  
JULY 26, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**ISAAC MBURU MWANIKI ..... 1<sup>ST</sup> ACCUSED**

**BETH WAITHERA MWANGI ..... 2<sup>ND</sup> ACCUSED**

**DAVID NJENGA KAMAU ..... 3<sup>RD</sup> ACCUSED**

**JOHN KARIUKI WANGUI ..... 4<sup>TH</sup> ACCUSED**

**EDWARD GITHINJI MUCHWE ..... 5<sup>TH</sup> ACCUSED**

**RULING**

1. The accused person, namely Isaac Mburu Mwaniki, Beth Waitthera Mwangi, David Njenga Kamau, John Kariuki Wangui, and Edward Githinji Muchwe were charged with murder contrary to section 203 as read with section 204 of the *Penal Code*.
2. Particulars being that on the night of September 14, 2013 at Silanga village Passenga Sub-location in Nyandarua Central District within Nyandarua County, jointly murdered Kenneth Thuita Freshia
3. They pleaded not guilty, and the Prosecution, in the hearing, called sixteen (16) witnesses, and a document Examiner report was produced by consent without calling the witness.
4. I have perused the entire evidence on record. I believe accused persons have a case to answer and are put on their defence.

**DATE, SIGNED, AND DELIVERED AT NYAHURURU ON THIS 26<sup>TH</sup> DAY OF JULY 2023.**

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**CHARLES KARIUKI**  
**JUDGE**

