



REPUBLIC OF KENYA



**Republic v Siiba & 3 others (Criminal Case 46 of 2017)  
[2023] KEHC 23295 (KLR) (28 September 2023) (Ruling)**

Neutral citation: [2023] KEHC 23295 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
CRIMINAL CASE 46 OF 2017  
A. ONG'INJO, J  
SEPTEMBER 28, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**ADEN ABDI SIIBA ALIAS TALL ..... 1<sup>ST</sup> ACCUSED**

**ABDULKARIM MUSA ALI ..... 2<sup>ND</sup> ACCUSED**

**EVANS OMONDI NGEI ALIAS OMAR ..... 3<sup>RD</sup> ACCUSED**

**KATANA MANGI YAA ..... 4<sup>TH</sup> ACCUSED**

**RULING**

1. The accused persons Aden Abdi Siiba alias Tall, Abdulkarim Musa Ali, Evans Omondi Ngei alias Omar, and Katana Mangi Yaa face a charge of murder contrary to section 203 as read with section 204 of the *Penal Code*.
2. Particulars of the offence are that Aden Abdi Siiba alias Tall, Abdulkarim Musa Ali, Evans Omondi Ngei alias Omar, and Katana Mangi Yaa between the 11<sup>th</sup> and November 13, 2017 at Bombolulu, Kisauni Sub-County of Mombasa County jointly with others not before court in the Republic of Kenya murdered Moiz Esmail Esmalji.
3. In consideration of the evidence of 13 witnesses and in consideration of oral submissions made for no case to answer, this court finds that a prima facie case has been established against Aden Abdi Siiba, Abdulkarim Musa Ali and Katana Mangi Yaa.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,  
THIS 28<sup>TH</sup> DAY OF SEPTEMBER 2023**

**HON. LADY JUSTICE A. ONG'INJO**



**JUDGE**

