



**Republic v Koskei & 2 others (Criminal Case 27 of 2019)
[2023] KEHC 25904 (KLR) (30 November 2023) (Ruling)**

Neutral citation: [2023] KEHC 25904 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL CASE 27 OF 2019
JK SERGON, J
NOVEMBER 30, 2023**

BETWEEN

REPUBLIC PROSECUTION

AND

BERNARD KOSKEI 1ST ACCUSED

WILSON K. RONO ALIAS MBERIA 2ND ACCUSED

BERNARD K. LANGAT 3RD ACCUSED

RULING

1. The Accused Persons herein namely:- Bernard Koskei, Wilson K. Rono Alias Mberia , and Bernard K. Langat, being the 1st , 2nd and 3rd Accuseds respectively are before this court facing a Charge of Murder.
2. The particulars of the offence are that on the night of 2nd July, 2019 at Jambo Kenya Trading Centre, Kipkelion Sub-County, within Kericho County, the trio jointly murdered Justus Too Alias Titus Too.
3. At the close of the Prosecution’s case, a total of 10 witnesses had testified in support of the Prosecution’s case. The Advocate for the Accused Persons was invited to make submissions on no case to answer. At the time of writing this ruling, the defence Counsel had not filed the submissions.
4. I have considered the evidence tendered by the Prosecution and I find that the evidence places all the Accused Persons at the scene of crime. The evidence also implicate the Accused Persons as the perpetrators of the offence of Murder against the Deceased.
5. The Prosecution has established a prima facie case against all the Accused Persons. The trio are each placed on their defence



6. They together with their Counsel should indicate to this Court whether they are going to testify in person and if so whether they will give sworn or unsworn testimony. The defence should further indicate whether they will summon independent witnesses in support of their defence.

DATED, SIGNED AND DELIVERED AT KERICHO THIS 30TH DAY OF NOVEMBER, 2023.

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J.K. SERGON

JUDGE

In the presence of:

Langat – C/Assistant

Mr. Musyoki – Prosecutor

Accused:

1– Present in Prison.

2 – Present in Person

3 – Present in Person

No Appearance for Ochang for the Accused

