



**Republic v Anyula & another (Criminal Case 48 of 2021)
[2023] KEHC 27092 (KLR) (19 December 2023) (Ruling)**

Neutral citation: [2023] KEHC 27092 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VIHIGA
CRIMINAL CASE 48 OF 2021
JN KAMAU, J
DECEMBER 19, 2023**

BETWEEN

REPUBLIC STATE

AND

NELSON OKONDA ANYULA 1ST ACCUSED

BOAZ KWEYA ONYANDO 2ND ACCUSED

RULING

1. This matter was part heard before Musyoka J. This court became seized of this matter on 22nd March 2023 and parties asked it to proceed from where the matter had reached.
2. On 17th July 2022, the Prosecution closed its case after calling a total of six (6) Prosecution witnesses.
3. The State did not file any Written Submissions on the question of whether or not the Accused persons had a case to answer and relied on the evidence that had been adduced by the Prosecution witnesses. On their part, the Accused persons filed their undated Written Submissions on the said issue on 22nd September 2023.
4. Having carefully considered the evidence by the Prosecution witnesses, the court was of the opinion that a prima facie case had been established against the Accused persons herein to warrant them being put on their Defence. They are hereby put on their defence.
5. It is so ordered.

DATED AND DELIVERED AT VIHIGA THIS 19TH DAY OF DECEMBER 2023

J. KAMAU

JUDGE

