

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MIGORI

[Coram: A. C. Mrima, J.]

CRIMINAL CASE NO. 27 OF 2018

REPUBLIC.....PROSECUTOR

-versus-

1. FREDRICK OCHIENG AMAYO *alias* ZAKAYO

2. KELVIN ODHIAMBO OCHIENG *alias* OCHAM

3. NATION OCHIENG AMAYO *alias* OCHIENG BOYO.....ACCUSED

RULING

1. The accused persons herein were jointly charged on 27/09/2018 with others not before Court with two counts of murder. They were alleged to have murdered one **Daniel Taabu Siso** and **Wilfred Muyonga Msala**.
2. The accused persons denied the charge and a trial was held. The prosecution called 8 witnesses.
3. This Court has patiently considered the evidence on record. I am satisfied that the prosecution has established a *prima facie* case against each of the accused persons to warrant them be placed on their defenses.
4. Consequently, the accused persons herein are hereby placed on their defenses on both counts. **Section 306(2)** of the **Criminal Procedure Code**, Chapter 75 of the Laws of Kenya is hereby complied with.

DELIVERED, DATED AND SIGNED AT MIGORI THIS 27TH DAY OF FEBRUARY, 2020

A. C. MRIMA

JUDGE

Ruling delivered in open Court and in the presence of: -

Miss Apondi Counsel for the accused persons.

Mr. Kimanthi, Learned Senior Principal Prosecution Counsel instructed by the Office of the Director of Public Prosecutions for the State.

Evelyne Nyauke – Court Assistant