



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MIGORI**

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

**CRIMINAL CASE NO. 8 OF 2019**

**REPUBLIC .....PROSECUTOR**

**-versus-**

**1. MARY BOKE MWIKWABE**

**2. SUSAN JACKLINE BOKE.....ACCUSED**

**RULING**

1. The accused persons herein were jointly charged on 01/07/2019 with another not before Court with the murder of one **Mongosi Mokaya**.
2. The accused persons denied the charge and a trial was held. The prosecution called 5 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. **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 17<sup>th</sup> day of March, 2020**

**A. C. MRIMA**

**JUDGE**

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

**Mr. Oyuer**, 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