

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MIGORI

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

CRIMINAL CASE NO. 9 OF 2018

(Consolidated with Criminal Case No. 11 of 2018)

REPUBLIC.....PROSECUTOR

VERSUS

1. RICHARD OKELLO ATHIAMBO

2. GEORGE OOKO OIRO

3. WASHINGTON ODOYO OLUOCH

4. GEORGE OMONDI OTIENO.....ACCUSED

RULING

1. The accused persons herein were jointly charged on 07/05/2018 with others not before Court with the murder of one **Boniface Alwale**.
2. The accused persons denied the charge and a trial was held. The prosecution called 10 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 17th day of March, 2020

A. C. MRIMA

JUDGE

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

Mr. Mudayi 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