

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

HCCRC NO. 23 OF 2018

PROSECUTOR.....REPUBLIC

VERSUS

JAMES ODHIAMBO OTIENO *Alias* CHEDA.....ACCUSED

RULING

The prosecution has called 7 witnesses.

1. Having given due consideration to the evidence tendered, I find that it has established a prima facie case against the accused.
2. I find that if the accused failed to offer any evidence which might help exonerate him, there is a real possibility that the Court will find him culpable for the murder of **TOBIAS AYIEMBA ATITO**.
3. In the result the accused, **JAMES ODHIAMBO OTIENO *Alias* CHETA**, has a case to answer, he is therefore put to his defence.

DATED, SIGNED and DELIVERED at KISUMU This 29th day of April 2020

FRED A. OCHIENG

JUDGE