

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MIGORI

CRIMINAL CASE NO. 17 OF 2017

REPUBLIC.....PROSECUTOR

VERSUS

EUNICE ACHIENG OTIENO

JULIUS OWITI OTAI..... ACCUSED

RULING

1. On 04/09/2017 the accused persons herein were charged with others not before Court with the murder of one **Erick Ochieng Patkea**.
2. The accused person denied the charge and a trial was held. The prosecution called five witnesses.
3. This Court has carefully perused the record and is satisfied that the prosecution has established a *prima facie* case against the accused persons to warrant them be placed on their defense.
4. Consequently, the accused persons herein are hereby placed on their defense. **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 2019.

A. C. MRIMA

JUDGE

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

Mr. Mwita Counsel for the Accused person.

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

Evelyne Nyauke – Court Assistant.