

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MIGORI

CRIMINAL CASE NO. 21 OF 2017

REPUBLICPROSECUTOR

-versus-

1. JOHN OTIENO OKUMU

2. SAMUEL ONYANGO ODHIAMBO..... ACCUSED

RULING

1. The accused persons herein were jointly charged on 09/10/2017 with another not before court for the murder of one **Samuel Otieno Oyoo**.
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 11th day of April 2019.

A. C. MRIMA

JUDGE

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

Mr. Mwita 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