

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MIGORI

CRIMINAL CASE NO. 14 OF 2017

REPUBLIC.....PROSECUTOR

-VERSUS-

1. ANTHONY OOKO NYAUNDA

2. DANIEL ODHIAMBO ORWA

3. PHILEMONA ABICH

4. ERICK OMONDI OTIENO.....ACCUSED

RULING

1. On 24/07/2017 the accused persons herein were formally charged before Court with the murder of one **Alphonse Ouma Miguye**.
2. The accused persons denied the charge and a trial was held. The prosecution called seven witnesses.
3. This Court has carefully perused the record and is 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 28TH DAY OF JUNE 2019.

A. C. MRIMA

JUDGE

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

Miss. Okota 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.