

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT GARISSA

CRIMINAL CASE NO. 17 OF 2014

REPUBLIC.....PROSECUTION

VERSUS

DAVID MWENDWA MULWA.....ACCUSED

RULING

1. The accused David Mwendwa Mulwa is charged with offence of murder contrary to section 203 as read with section 204 of the Penal Code (Cap. 63 Laws of Kenya).
2. Particulars being that on 19/1/2014 at Mbuvu Sub-Location, Mbuvu Location in Mwingi East District within Kitui County murdered John Mwilu Mutua and on second count on same particulars murdered Kavata Mwilu.
3. He pleaded not guilty and matter went into full trial.
4. The prosecution called 5 witnesses and called the court to rule as whether there is a case to answer to warrant putting accused on his defence.
5. The court has perused the evidence of each of the 5 witnesses and no doubt is left in the court's mind. This is in particular the PW3's testimony.
6. The accused has a case to answer. Thus he is put on his defence.

DATED, DELIVERED AND SIGNED AT GARISSA THIS 28TH DAY OF NOVEMBER, 2019.

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C. KARIUKI

JUDGE