

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT GARISSA

CRIMINAL CASE NO. 2 OF 2015

REPUBLIC.....PROSECUTION

VERSUS

MUSEE KIEMA.....ACCUSED

RULING

1. The accused is charged with offence of murder contrary to section 203 as read with section 204 of the Penal Code. Particulars being that on 22/2/2015 at Karithile village, Mwasuma Sub-Location, Nguni Location, Mwingi East District, Kitui County murdered Faith Muyathi Nzomo.
2. The accused pleaded not guilty and matter went into full trial.
3. The prosecution called 8 witnesses and closed its case.
4. The court is called upon to determine whether the prosecution has established a prima facie case to warrant accused to put on his defence.
5. I have gone through the record of all the 8 witnesses. I am of the view that the evidence adduced and especially PW1's testimony warrants accused to be put in his defence.
6. Thus the court finds that a prima facie case has been established and accused is put on his defence.

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

.....

C. KARIUKI

JUDGE