

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MIGORI

CRIMINAL CASE NO. 25 OF 2017

REPUBLICPROSECUTOR

-versus-

1. MILKA ATIENO KIDAGA alias BEATRICE ACHIENG

alias ROSEMARY AKOTH alias ROSELYN AKOTH

2. LUCAS KIDAGA

3. JAMES KIDAGA BAIKA.....ACCUSED

RULING

1. On 09/11/2017 the accused persons herein were jointly charged with the murder of one **Michael Oyoo Weche**.
2. The accused persons denied the charge and a trial was held. The prosecution called 10 witnesses.
3. At the close of the prosecution's case the matter was left to the Court for a determination. 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 19th day of December, 2019.

A. C. MRIMA

JUDGE

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

Mr. Agure Odera 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.