

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT VOI
CRIMINAL CASE NO 17 OF 2014

REPUBLIC
VERSUS
MOSES SEMBUA WAYO

RULING

1. On 30th November 2016, the Prosecution closed its case after calling a total of seven (7) Prosecution witnesses.

1. On the same date, the court directed that counsel for the State and counsel for the Accused person file their respective Written Submissions on the question of whether or not the Accused person had a case to answer.

2. On 15th February 2016, the Accused person filed his Written Submissions of even date. The State filed its Written Submissions dated 27th February 2017 on 28th February 2017.

4. Accordingly, having carefully considered the evidence by the Prosecution witnesses, the Written Submissions by counsel for the Accused person and counsel for the State and the case law the latter relied upon, the court was of the opinion that a *prima facie* case had been established against the Accused person to warrant him being put on his Defence. He is hereby put on his defence.

5. It is so ordered.

DATED and DELIVERED at VOI this 28th day of March 2017

J. KAMAU

JUDGE

In the presence of:-

Mwinzi holding brief for Muthami.....for Accused person

Miss Anyumba.....for State

Josephat Mavu– Court Clerk