

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT MERU

CRIMINAL CASE NO. 78 OF 2013

REPUBLIC.....PROSECUTOR

VERSUS

AYUB MICHUBU.....1ST ACCUSED

STEPHEN MUCHOKI.....2ND ACCUSED

RULING

I have considered the testimonies of three (3) officers who were summoned to shed light on the disappearance of some exhibits.

I have come to the conclusion that to rule on the application of the prosecutor might be prejudicial to this trial as the prosecution is yet to close its case.

Accordingly, the ruling is deferred to and will be contained in the final decision of the Court.

In view of the decision the Court has made, officers PC Samuel Mwangi and Corporal Japhet Musyimi are hereby discharged.

Hearing on 19/09/2017.

DATED and **DELIVERED** at Meru this **20th** day of June, 2017.

A. MABEYA

JUDGE

20/06/2017