

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT VOI

CRIMINAL CASE NO 14 OF 2014

REPUBLIC

VERSUS

SAMUEL MBOI PAUL.....1ST ACCUSED

MWANZIA PAUL.....2ND ACCUSED

RULING

1. On 10th February 2016 the Prosecution closed its case after calling a total of seven (7) Prosecution witnesses.
2. On the same date, the court directed that counsel for the State and counsel for the Accused person to file their respective Written Submissions on the question of whether or not the Accused person had a case to answer. The matter was mentioned on 10th March 2016 to confirm compliance but none of the counsel had filed the same. The delay in filing the said submissions was occasioned by a change of advocates for the Accused persons.
3. The State finally filed and served its Written Submissions dated 4th July 2016 and the cases in support of its case on the same date. M/S Mulwa, Isika & Mutia Advocates who were subsequently appointed to represent the Accused persons filed their Written Submissions dated 11th July 2016 on 12th July 2016.
4. Accordingly, having carefully considered the evidence by the Prosecution witnesses and the Written Submissions by counsel for the State and the counsel for the Accused person, the court was of the opinion that a *prima facie* case had been established against the Accused persons to warrant them being put on their Defence. They are hereby put on their defence.
5. It is so ordered.

DATED and DELIVERED at VOI this 25th day of July 2016

J. KAMAU

JUDGE

In the presence of:-

Miss Mukangu..... for State

Mrs Isika.....for Accused person

Simon Tsehlo– Court Clerk