



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KERICHO**

**HIGH COURT CRIMINAL CASE NO. 33 OF 2013**

**REPUBLIC-----PROSECUTOR**

**VS.**

**DAVID KIPKOECH KETER-----ACCUSED**

**RULING**

The accused faces a Charge of **Murder Contrary to Section 203 & 204 of the Penal Code.**

A total of 7 witnesses have testified for the Prosecution. I have considered the submissions by both the Counsels appearing. **The cause of death is clear – a penetrating injury.**

Though the evidence is circumstantial I am satisfied it places the accused at the *Locus quo*. I find the accused to have a case to answer, and I hereby place him on his defence of **Murder Section 306 (2) Criminal Procedure Code (CPC).**

**Dated, Signed and delivered in open Court this 23<sup>rd</sup> day of July 2015**

**H. I ONG'UDI**

**JUDGE.**

**In the Presence of**

Mr. Kivali for state

Mr. Miruka for accused – absent

Hillary/Robert Cheruiyot – Court Assistants.

Interbrates: Eng/Kipsigis.