



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT KERICHO**  
**CRIMINAL CASE NO. 36 OF 2009**

**REPUBLIC**

**VS**

**PAULINE CHEMUTAI BII.....ACCUSED**

**RULING**

The accused person is charged with the **Offence of Murder Contrary to Section 203** as read with **Section 204 of the Penal Code**.

The prosecution called a total of seventeen (17) witnesses, none of whom witnessed the incident forming the basis of this charge.

The evidence before this Court is purely circumstantial evidence. I am however satisfied that the Prosecution has established a *Prima Facie case* against the accused person.

I hereby place her on her defence under Section 306 (2) Criminal Procedure Code.

**Dated and Signed this 18<sup>th</sup> day of September, 2015**

**H.I ONG'UDI**

**JUDGE**

**Delivered in open Court this 25<sup>th</sup> day of September 2015**

**H.I ONG'UDI**

**JUDGE**

**In the presence of:**

Ms. Mwangi for State.

Mr. Nyaingiri for Accused – Absent.

Accused – Present in person.

Hillary/Kenei – Court Assistant.

Interpreters – English/Kiswahili.