

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CRIMINAL CASE NO. 26 OF 2008

REPUBLIC.....RESPONDENT

VERSUS

DANSON MGUNYAACCUSED

RULING

The accused **DANSON MGUNYA** faces a charge of **MURDER CONTRARY TO SECTION 203 as read out with SECTION 204** of the penal code. The accused entered a plea of ‘*Not Guilty*’ to the charge. The prosecution led by **MR. MUTETI**, learned state counsel called a total of eleven (11) witnesses in support of their case. **DR. KHAMINWA** senior counsel acted for the accused. I have carefully perused the evidence on record. I am satisfied that a *prima facie* case has been established. I therefore direct in line with section 306(2) of the Criminal Procedure Code, that the accused shall give his defence to this charge of murder.

Dated and delivered in Mombasa this 19th day of February, 2014.

M. ODERO

JUDGE

In the presence of:

Ms. Kayata h/b Dr. Khaminwa

Mr. Tanui for State

Court Clerk Mutisya

Court:

Hearing 7th May, 2014 for defence.

M. ODERO

JUDGE

19TH FEBRUARY, 2014