

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU
CRIMINAL CASE NO.44 OF 2013

REPUBLIC.....PROSECUTOR

VERSUS

PAUL NGANGA KAMUNGE.....ACCUSED

RULING

The accused **PAUL NGANGA KAMUNGE** is charged with the offence of murder contrary to **Section 203** as read with **Section 204** of the **Penal Code**.

JOEL NJOROGE MWANGI (P.W.1) narrated to the court that the accused was armed with a knife. Thereafter, assisted by members of the public, he gave chase to the accused, who was found hiding inside a water drum. The accused was apprehended and taken to Bondeni Police Station.

The Investigating Officer **P. C. ALBERT JUMA, (P.W.6)** visited the scene of crime and also went to the house where the water drum was located and in which the accused had been whisked from by **P. W. 1** and the members of public. From the water drum, the Investigation Officer recovered a knife that was said to belong to the accused and alleged to have been used to inflict the fatal injuries to the deceased.

DR. TITUS NGULUNGU (P.W.4), the Doctor who conducted the postmortem examination testified that the deceased's neck had been slit occasioned by a sharp object and cause of death was due to the injury.

From the evidence adduced, this court is satisfied that the evidence is sufficient to warrant placing the accused on his defence. This court therefore finds that the accused has a case to answer.

Dated, Signed and Delivered at Nakuru this 30th day of June, 2014.

A. MSHILA

JUDGE