



**REPUBLIC OF KENYA**

**High Court at Nyeri**

**Criminal Case 35 of 2010**

**REPUBLIC.....PROSECUTOR**

**Versus**

**SAMSON GATIMU MUNGUNA.....ACCUSED**

**RULING**

1. At the close of the prosecution case both the advocates for the accused and the state chose not to make any submissions on no case to answer and having heard the six (6) prosecution witnesses I have no doubt in my mind that the prosecution has established a prima facie case to enable me put the accused person on his defence.

2. I therefore find that the accused has a case to answer and therefore the same is reminded of his rights under section 306(2) of the Criminal Procedure Code.

Dated and delivered at Nyeri this 24th day of January 2013.

**J. WAKIAGA**  
**JUDGE**