

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

CRIMINAL CASE NO. 11 OF 2006

REPUBLIC.....PROSECUTOR

VERSUS

JOSEPH OPIYO OTIENO.....ACCUSED

RULING

I have carefully perused the evidence so far as presented by the prosecution witnesses. I have equally heard the submissions from the defence counsel as well as that of the learned state counsel.

I am of the opinion that so as to come to the bottom of this incident there is need to put the accused person on his defence. The prosecution in other words has established a *prima facie* case against the accused.

Dated, signed and delivered at Kisumu this 24th day of June, 2013.

**H.K.
JUDGE**

CHEMITEI

In the presence of:

.....for the accused

.....for the state

HKC/va