



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CRIMINAL CASE NO. 28 OF 2011

REPUBLIC.....PROSECUTION

VERSUS

BENJAMIN W. MAINA.....ACCUSED

RULING

The accused person namely **BENJAMIN WANYIRI MAINA** faces a charge of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. The prosecution called a total of eleven (11) witnesses in support of their case. I have considered the evidence adduced by the prosecution witnesses. I find that a *prima facie* case has been established. I therefore direct that the accused shall give his defence to the charge.

Dated and delivered in Mombasa this 27th day of August, 2013.

M. ODERO

JUDGE

In the presence of:

Mr. Dzomu for State

Mr. Wameyo h/b Mr. Matheka for Accused

Court Clerk Mutisya

Court:

Defence hearing to proceed on 16th October, 2013.

M. ODERO

JUDGE

27TH AUGUST, 2013