



REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA  
AT MOMBASA  
CRIMINAL CASE NO. 13 OF 2010

REPUBLIC.....RESPONDENT

VERSUS

1. BUNI MWATELA MAERE alias KABASELI
2. ALI JUMA MWANGOMBE
3. AVIS MWAMWAGA.....ACCUSED

RULING

The three accused persons herein are jointly charged with the offence of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. I have carefully considered the evidence adduced by the six (6) prosecution witnesses. I am satisfied that a *prima facie* case has been established against all the three accused persons. I therefore direct that each accused shall give his defence to this charge.

**Dated and delivered in Mombasa this 16<sup>th</sup> day of December, 2013.**

**M. ODERO**

**JUDGE**

In the presence of:

Mr. Ayodo for State

Mr. Chebukaka for all three accused

Court Clerk Mutisya

Court:

Defence hearing to proceed on 18<sup>th</sup> February, 2014.

**M. ODERO**

**JUDGE**

**16<sup>TH</sup> DECEMBER, 2013**

**Court:**

Counsel to be supplied with copies of the proceedings.

**M. ODERO**

**JUDGE**

**16<sup>TH</sup> DECEMBER, 2013**