

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MOMBASA

CRIMINAL CASE 8 OF 2012

REPUBLIC PROSECUTION

=VERSUS=

OMAR MOHAMED KAPTENI NZAKA ACCUSED

RULING

The accused **OMAR MOHAMED KAPTENI NZAKA** faces a charge of **MURDER CONTRARY TO SECTION 203 as read with SECTION 204 OF THE PENAL CODE**. The accused who was represented by **MS. ODHIANG** Advocate entered a plea of **'Not Guilty'** to the charge. The prosecution led by the learned State Counsel **MR. ONSERIO** called a total of ten (10) witnesses in support of their case.

I have carefully considered the evidence adduced by the prosecution witnesses. I am satisfied that a prima facie case has been made out and I do direct that the accused give his defence to this charge.

Dated and Delivered in Mombasa this 20th day of July 2012.

M. ODERO
JUDGE

In the presence of:

Ms. Odhiang for Accused

Mr. Gioche for State