

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISUMU

CRIMINAL CASE NO.45 OF 2009

REPUBLIC.....APPLICANT

VERSUS

DENNIS OTIENO AIRORESPONDENT

R U L I N G

The prosecution closed its case after calling a total of 9 witnesses. At this juncture the defence counsel submitted that the deceased was the author of his own misfortune and called for the acquittal of the deceased.

Having considered the evidence placed before court by the prosecution I am of the view that the prosecution has established a prima facie case. In the circumstances therefore I call on the accused to be put on his defence.

Dated and delivered this 2 February, 2011

ALI-ARONI
J U D G E