



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT KAKAMEGA**

**Criminal Case 4 of 2005**

**REPUBLIC ..... PROSECUTOR**

**V E R S U S**

**SHEM ASHIONO HEZRON**

**PATRICK NDOMBI SHAKWILA ..... ACCUSED**

**R U L I N G**

The accused persons are charged with murder contrary to section 203 as read with section 204 of Penal Code.

From the evidence of **PW1, MOSES MWANGA SHITAMBASI, PW2, EVANS MUCHESIA MAKOTSI** and **PW3,**

**KENNEDY MAMBILI LUSENO**, I do find that the prosecution has established a prima facie case against the two accused persons who are hereby put on their defence.

**SAID J. CHITEMBWE**

**J U D G E**

*Delivered, dated and counter-signed by the Hon. Justice Isaac Lenaola at Kakamega this 10th day of March, 2010*

**ISAAC LENAOLA**

**J U D G E**