

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
CRIMINAL CASE NO. 13 OF 2009

REPUBLIC
..... PROSECUTOR
VERSUS
HASSAN WAFULA
.....1ST ACCUSED
JAMES NGIRINE
.....2ND ACCUSED
ARON MUTWIWA
.....3RD ACCUSED
ROBERT MUTISO
.....4TH ACCUSED

RULING

Pursuant to **section 306** of the Criminal Procedure Code, Chapter 75 of the Laws of Kenya, I have carefully considered the evidence adduced in this case, and I have come to the conclusion that the accused have a case to answer. I therefore put them on their defence. Each one of them is at liberty to give sworn or unsworn testimony or to remain mum or silent and to call witnesses. Cross-examination shall ensue where sworn evidence is given.

Defence Counsel shall indicate to the court the line of defence their clients intend to take.

DATED at KERICHO this 26th day of October, 2010

G.B.M. KARIUKI,sc
RESIDENT JUDGE

COUNSEL APPEARING

Mr. P. Kiprop State Counsel for the Republic
Mr. E.M. Orina advocate for the 3rd and 4th Accused.
Mr. T.M.O. Nyaingiri advocate for the 1st Accused
Mr. Meroka for the 2nd accused