

IN THE HIGH COURT OF KENYA AT NYERI
HCCR NO.84 OF 2003

REPUBLIC.....PROSECUTOR

VERSUS

PRISCILLA WANJIRU HUNGO.....ACCUSED

R U L I N G

At the close of the prosecution case it is evident that this prosecution is without any direction at all. No evidence has been adduced showing that the Accused committed any act or omission that could have led to the alleged death of the deceased. No evidence has been adduced to show whether the deceased died how He died and what caused his death.

There is absolutely no reason as to why the Accused was arrested. The entire prosecution has been at total waste of the court's time. There is no shred of evidence implicating the Deceased. No prima facie case has therefore been established and Accused is therefore acquitted under section 306 (1) of the Criminal Procedure Code. She will therefore be set free unless otherwise lawfully held.

H. M. OKWENGU

JUDGE

27/1/05