



**Republic v Shem & another (Criminal Case 8 of 2023)
[2025] KEHC 1241 (KLR) (25 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1241 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VIHIGA
CRIMINAL CASE 8 OF 2023
JN KAMAU, J
FEBRUARY 25, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

FREDRICK AFUYA SHEM ALIAS FRED 1ST ACCUSED

MATHIAS ALEMBI 2ND ACCUSED

RULING

1. This matter was partly heard by Musyoka J. This court became seized of the same on 17th October 2023. The parties asked it to proceed from where the same had reached.
2. On 18th December 2024, the Prosecution closed its case after calling a total of eight (8) Prosecution witnesses.
3. The Accused persons' Written Submissions on whether or not they had a case to answer were dated and filed on 23rd January 2025. On the other hand, the Prosecution did not file any Written Submissions but relied on the evidence that had been adduced by the Prosecution witnesses.
4. Having carefully considered the evidence by the Prosecution witnesses and the Accused persons' Written Submissions, the court was of the opinion that a prima facie case had been established against the Accused persons herein to warrant them being put on their defence. They are hereby put on their defence.
5. It is so ordered.

DATED AND DELIVERED AT VIHIGA THIS 25TH DAY OF FEBRUARY 2025

J. KAMAU

JUDGE

