



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Githaiga (Criminal Case E031 of 2020)
[2025] KEHC 3253 (KLR) (11 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 3253 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E031 OF 2020
JM NANG'EA, J
FEBRUARY 11, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

JOHN MWANGI GITHAIGA ACCUSED

RULING

1. The accused arraigned in this court charged with the offence of Murder Contrary to Section 203 as read with Section 204 of the [Penal Code](#). The particulars of the charge allege that on 13th October 2020 at Lusiru Location, Njoro Sub County, within Nakuru County he murdered Mercy Njeri Mbatia. He entered plea of “not guilty”.
2. The prosecution called eight (8) witnesses in a bid to prove its case. The defence Counsel chose not to make submissions on “no case to answer” after the close of the prosecution case.
3. At this stage the court is to determine whether or not a prima facie case warranting putting the accused on his defence has been made out [see Case Law in Ramanlal T. Bhatt vs Republic (EA)].
4. Having read through the prosecution evidence, I find that the above stated legal threshold has been met and I hereby put the accused on his defence. It is established judicial good practice not to give reasons for such decision so as not to create an impression that the court has made up its mind before considering any defence that might be offered by the accused.
5. Ruling accordingly.

J. M. NANG'EA, JUDGE.

RULING DELIVERED THIS 11TH DAY OF FEBRUARY, 2025 IN THE PRESENCE OF:

Ms Sang for the DPP



Mr. Githui Advocate for the accused

Accused, present

Court Assistant (Jeniffer)

J. M. NANG'EA, JUDGE.

