



REPUBLIC OF KENYA



**KENYA LAW**  
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**Republic v Kimiri (Criminal Case 49 of 2016)  
[2025] KEHC 2150 (KLR) (6 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 2150 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL CASE 49 OF 2016  
JM NANG'EA, J  
FEBRUARY 6, 2025**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**DAVID CHEGE KIMIRI ..... ACCUSED**

**RULING**

1. The accused faces a charge of Murder Contrary to Section 203 as read with Section 204 of the [Penal Code](#). The particulars of the offence state that on 30<sup>th</sup> August 2016 at Shemeji Lodge Junction Centre in Nakuru North Sub County within Nakuru County he murdered Rahab Wambui Muchiri. He pleaded “not guilty”.
2. The prosecution called 6 witnesses in a bid to prove the charge. The defence Counsel intimated that he would file Written Submissions on “no case to answer” but none have been put in.
3. Having read through the prosecution evidence against the charge, I am satisfied that the prosecution has made out a prima facie case warranting placing the accused on his defence. It is judicial practice not give reasons for such decision so that an impression is not created that the court has already made up its mind before considering any defence the accused may put up.
4. The accused is accordingly put on his defence to the charge.

**J. M. NANG'EA, JUDGE.**

**RULING DELIVERED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2025 IN THE PRESENCE OF:**

**Ms Sang for the DPP**

**Mr. Opar advocate for the accused**

Accused, Present



Court Assistant (Jeniffer)  
**J. M. NANG'EA, JUDGE.**

