



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Wanderi & another (Criminal Case E007 of 2022)
[2025] KEHC 5778 (KLR) (7 May 2025) (Sentence)**

Neutral citation: [2025] KEHC 5778 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E007 OF 2022**

HI ONG'UDI, J

MAY 7, 2025

BETWEEN

REPUBLIC PROSECUTOR

AND

JAMES WANDERI 1ST ACCUSED

STEPHEN GICHANA 2ND ACCUSED

SENTENCE

1. James Wanderi and Stephen Gichana hereinafter referred to as the 1st and 2nd accused are facing a charge of murder contrary to section 203 as read with section 204 of the *Penal Code*. The particulars are that both accused on 11th April, 2017 at Kiptangwany AP Post in Elementaita, Gilgil subcounty within Nakuru County jointly murdered Francis Nga'ng'a. They denied the charge and the matter proceeded to full hearing with the prosecution calling thirteen (13) witnesses.
2. After the close of the prosecution case both the prosecution and defence counsel filed written submissions.
3. I have carefully considered the evidence of all the thirteen (13) witnesses plus the submissions by both parties, and I am satisfied that the deceased did not die a natural death. The post mortem report (EXB P1) attests to that.
4. I am further satisfied that the prosecution has proved a prima facie case against both accused requiring them to make their defence.
5. I therefore place the 1st and 2nd accused on their defence under section 306(2) of the *Criminal Procedure Code*.
6. Orders accordingly



DELIVERED, DATED AND SIGNED THIS 7TH DAY OF MAY, 2025 IN OPEN COURT AT NAKURU.

H. I. ONG'UDI

JUDGE

