



**Republic v Nyongesa Kundu alias Sammy (Criminal Case
E023 of 2023) [2025] KEHC 8679 (KLR) (20 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8679 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
CRIMINAL CASE E023 OF 2023
WM MUSYOKA, J
JUNE 20, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

SAMUEL NYONGESA KUNDU ALIAS SAMMY ACCUSED

RULING

1. I handled this matter from inception. I heard all the witnesses and saw them testify.
2. It emerges that the accused person was the last person to have interacted with the deceased person before she disappeared, and was eventually discovered dead, buried in a shallow grave, within her compound.
3. A *prima facie* case has been established against the accused person herein, to require that he should offer a defence or explanation. He has a case to answer.
4. The defence hearing shall be conducted on 16th July 2025.

**DELIVERED, DATED AND SIGNED IN OPEN COURT, AT BUSIA, ON THIS 20TH DAY OF
JUNE 2025.**

WM MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Tony Onanda, instructed by the Director of Public Prosecutions, for the Republic.

Mr. Otieno, Advocate for the accused person.

