



**Republic v Musasia & 3 others (Criminal Case E048 of 2022)
[2025] KEHC 8402 (KLR) (16 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8402 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE E048 OF 2022**

**AC BETT, J
JUNE 16, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

BRIAN MUSASIA ALIAS CHAIRMAN 1ST ACCUSED

KEVIN LUCHESI ALIAS MARSHAL 2ND ACCUSED

JOHN OLILO ALIAS JOHNTTE 3RD ACCUSED

FRANCIS MWANGI 4TH ACCUSED

RULING

1. I have carefully considered the evidence so far adduced by the prosecution. In his evidence, PW4 places the four Accused persons at the scene where the deceased was found dead. It was his testimony that on the night of 22.10.2022, he heard the noise of someone being beaten. He rode his motorcycle to the direction of the noise and there, he saw the Accused persons. He called Evans, who came after a while and they followed the Accused persons in the direction they had taken and there, they found the body of the deceased.
2. I find that a prima facie case has been established against the Accused that calls upon them to defend themselves. I hold that the four Accused persons have a case to answer and they are therefore placed on their defence.

DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 16TH DAY OF JUNE 2025.

A. C. BETT

JUDGE

In the presence of:



Ms. Chala for the Prosecution

No appearance for Mr. Munyendo for the Accused

Court Assistant: Polycap

