



**Republic v Luvisha & another (Criminal Case E017 of 2023)
[2025] KEHC 10482 (KLR) (17 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10482 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VIHIGA
CRIMINAL CASE E017 OF 2023**

**JN KAMAU, J
JULY 17, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

ALEX LUVISHA ALIAS GUKAA 1ST ACCUSED

DANCAN LULAMBA 2ND ACCUSED

RULING

1. The Prosecution’s case in this matter was heard on diverse dates between 30th January 2025 and 28th February 2025 when the same was closed after calling a total of nine [9] Prosecution witnesses.
2. The Prosecution did not file Written Submissions on the question of whether or not the 1st and 2nd Accused persons had a case to answer. It relied on the evidence that had been adduced by its witnesses.
3. Although the 1st and 2nd Accused persons indicated that they would be filing Written Submissions on the question of whether or not they had a case to answer, by the time the court retired to write the Ruling herein, the same were not in the e-portal.
4. Having carefully considered the evidence by the Prosecution witnesses, this court was of the opinion that a prima facie case had been established against the 1st and 2nd Accused persons herein to warrant them being put on their defence. They are hereby put on their defence.
5. It is so ordered.

DATED AND DELIVERED AT VIHIGA THIS 17TH DAY OF JULY 2025

**J. KAMAU
JUDGE**

