



**Republic v Chibungusi (Criminal Case E034 of 2024)
[2025] KEHC 13084 (KLR) (22 September 2025) (Ruling)**

Neutral citation: [2025] KEHC 13084 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE E034 OF 2024
AC BETT, J
SEPTEMBER 22, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

JAPHETH CHIMBUNGUSI ACCUSED

RULING

1. I have read the prosecution’s evidence. PW1 testified that she handed over the deceased, who was her son, to the Accused and the village elder for Counselling. They went away with him and returned him and shortly thereafter, the deceased passed on.
2. According to the post-mortem report produced by the Pathologist, the cause of death was circulatory collapse secondary to blunt force trauma following assault. The deceased’s body had multiple injuries to wit, abrasions and bruises on many parts of the body.
3. I find that the prosecution has established on a prima facie case against the Accused and he is therefore placed on his defence.

DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 22ND DAY OF SEPTEMBER 2025.

A. C. BETT

JUDGE

In the presence of:

Ms. Chala for the Prosecution

Ms. Repha for Mr. Mango for the Accused

Court Assistant: Polycap

