



**Republic v Kinuthia (Criminal Case 15 of 2020)  
[2024] KEHC 788 (KLR) (17 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 788 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIVASHA  
CRIMINAL CASE 15 OF 2020  
GL NZIOKA, J  
JANUARY 17, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**BENARD WANG'ENDO KINUTHIA ..... ACCUSED**

**RULING**

1. The accused is charged with the offence of murder contrary to section 203 as read with section 204 of the Penal Code.
2. Upon the accused pleading not guilty to the information, the prosecution called a total of seven (7) witnesses. I have considered the evidence adduced by these witnesses at the close of the prosecution case and I rule that, the prosecutor has adduced adequate evidence to place the accused on his defence. Consequently I rule that the accused has a case to answer.
3. Pursuant to the provisions of section 306(2) of the Criminal Procedure Code, I direct that, the accused proceed to inform the court of the manner of defence and/or how the defence will be conducted.
4. It is so ordered.

**DATED, DELIVERED AND SIGNED THIS 17<sup>TH</sup> DAY OF JANUARY 2024**

**GRACE L. NZIOKA**

**JUDGE**

In the presence of

The accused present virtually

Mr. Ndiema for the state



Mr. Wairegi for the accused

Ms Ogutu - court assistant

