



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Republic v Karisa & another (Criminal Case 2 of 2018)
[2024] KEHC 2786 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2786 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE 2 OF 2018**

A. ONG'INJO, J

MARCH 14, 2024

BETWEEN

REPUBLIC PROSECUTOR

AND

HAMISI HARE KARISA 1ST ACCUSED

SAID MWAMUYE MWALONGO 2ND ACCUSED

RULING

1. The accused persons Hamisi Hare Karisa and Said Mwamuye Mwalongo face a charge of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#) Cap 63 of the Laws of Kenya.
2. The particulars are that Hamisi Hare Karisa and Said Mwamuye Mwalongo on the 7th day of January 2018 at around 3.00 am at Nyali Centre Area in Kisauni Sub-County, within Mombasa County jointly with others not before court murdered David Wokabi Kamau.
3. The prosecution called 8 witnesses to support its case that the accused person committed the offence herein. Counsels for the accused persons filed submissions on no case to answer and the matter was reserved for ruling.
4. From the evidence of the 8 prosecution witnesses, this court finds that the prosecution established a *prima facie* case sufficient to call upon the accused persons to defend themselves. They have a case to answer.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,
THIS 14TH DAY OF MARCH 2024.**

HON. LADY JUSTICE A. ONG'INJO

JUDGE



In the presence of: -

Etropia- Court Assistant

Mr. Ngiri for the State

Mr. Wachenje Advocate for the 1st Accused Person

Mr. Odundo Advocate for the 2nd Accused Person

1st Accused present in person

2nd Accused present in person

HON. LADY JUSTICE A. ONG'INJO

JUDGE

Order: Defence hearing on 20.6.2024.

HON. LADY JUSTICE A. ONG'INJO

JUDGE

14.3.2024

