



**Republic v Kombe (Criminal Case E008 of 2022)
[2024] KEHC 3138 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3138 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE E008 OF 2022**

**A. ONG'INJO, J
MARCH 14, 2024**

BETWEEN

REPUBLIC PROSECUTOR

AND

MOSES YERI KOMBE ACCUSED

RULING

1. The accused person Moses Yeri Kombe faces 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 Moses Yeri Kombe on 10th day of January 2022 at Kashani Area in Kisauni Sub-County within Mombasa County jointly with another not before court murdered Dalmas Adwet Winyo.
3. The prosecution called 10 witnesses to support its case that the accused person committed the offence herein and the matter was reserved for ruling.
4. From the evidence of the 10 prosecution witnesses, this court finds that the prosecution established a prima facie case sufficient to call upon the accused person to defend himself. He has 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. Chacha Mwita Advocate for the Accused Person

Accused present in person

HON. LADY JUSTICE A. ONG'INJO

JUDGE

Court: Accused informed on how he can defend himself.

Mr. Chacha Advocate: Accused will tender sworn statement and call one witness.

Order: Defence hearing on 25.6.2024

HON. LADY JUSTICE A. ONG'INJO

JUDGE

14.3.2024

