



**Republic v Wanyama & 4 others (Criminal Case 49 of 2015)
[2024] KEHC 2587 (KLR) (12 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2587 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE 49 OF 2015
PJO OTIENO, J
MARCH 12, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

THOMAS WANYONYI WANYAMA 1ST ACCUSED

KUNDU WANYAMA NAVACHENJE 2ND ACCUSED

JOTHAM MASENGERE NABACHENJE 3RD ACCUSED

OSCAR WANJALA BARASA 4TH ACCUSED

BENARD WERE CHEBAKOO 5TH ACCUSED

RULING

1. The evidence led by PW1, 2 & 3 place the Accused persons at the scene of the incident in a way that calls for their explanation.
2. The Court finds that a *prima facie* case has been demonstrated against the five Accused persons.
3. They have a case to answer.
4. Defence hearing on 18/6/2024.

DATED, SIGNED AND DELIVERED AT KAKAMEGA, THIS 12TH DAY OF MARCH, 2024.

PATRICK J. O. OTIENO

JUDGE

In the presence of:

Ms. Chala for the Prosecution



Mr. Momanyi for the Accused persons

Accused persons present

Court Assistant: Polycap Mukabwa

