



**Republic v Chepkemoi & another (Criminal Case 41 of 2019)
[2024] KEHC 5087 (KLR) (15 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 5087 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE 41 OF 2019
HI ONG'UDI, J
MAY 15, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

DAISY CHEPKEMOI 1ST ACCUSED

CHARLES LANGAT 2ND ACCUSED

RULING

1. Daisy Chepkemoi (Accused 1) and Charles Langat (Accused 2) who are a wife and husband respectively are both facing a charge of murder contrary to section 203 as read with section 204 of the *Penal Code*. The particulars being that Accused 1 and Accused 2 on 16th August, 2019 at Karima village Kuresoi North sub county within Nakuru County jointly murdered Stanley Kipkorir Yegon. The prosecution called five (5) witnesses and the post mortem report (EXB 1) was produced by the prosecution with the consent of the defence.
2. None of the witnesses witnessed the incident. They however said it is the deceased who told them who had injured him. They found him at the scene.
3. None mentioned the 2nd accused's name. The post mortem report (EXB1) gave the cause of death as severe head injury and blunt chest trauma secondary to assault.
4. After considering all the evidence I find no evidence to make this court place the 2nd accused on his defence. He is therefore acquitted under section 306(1) of the *Criminal Procedure Code*.
5. I further find that the prosecution has established a prima facie case against the 1st accused who I hereby place on her defence under section 306(2) of the *Criminal Procedure Code*.
6. Orders accordingly.



DELIVERED, DATED AND SIGNED THIS 15TH DAY OF MAY, 2024 IN OPEN COURT AT NAKURU.

H. I. ONG'UDI

JUDGE

