



**Republic v Asuo (Criminal Case 54 of 2021) [2024] KEHC 8705 (KLR) (22 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8705 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VIHIGA  
CRIMINAL CASE 54 OF 2021**

**JN KAMAU, J**

**JULY 22, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**ISAIAH OTIENO ASUO ..... ACCUSED**

**RULING**

1. This matter was part heard before Sitati, Njagi, Musyoka and P.J. Otieno JJ. This court became seized of this matter on 28<sup>th</sup> March 2023. The parties asked it to proceed from where the matter had reached.
2. On 24<sup>th</sup> June 2024, the Prosecution closed its case after calling a total of six (6) Prosecution witnesses.
3. The Prosecution did not file any Written Submissions on the question of whether or the Accused persons had a case to answer. It relied on the evidence that had been adduced by its witnesses. Although the Accused person had indicated that he would be filing his Written Submission, he had not done so as at the writing of this decision. If he did, then the same did not find their way into the court file.
4. Having carefully considered the evidence by the Prosecution witnesses, the court was of the opinion that a *prima facie* case had been established against the Accused person herein warranting him being put on his defence. He is hereby put on his defence.
5. It is so ordered.

**DATED AND DELIVERED AT VIHIGA THIS 22<sup>ND</sup> DAY OF JULY 2024**

**J. KAMAU**

**JUDGE**

