



REPUBLIC OF KENYA



**Republic v Omukwenyi & 3 others (Criminal Case 16 of 2016)
[2023] KEHC 2765 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2765 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE 16 OF 2016
WM MUSYOKA, J
MARCH 24, 2023**

BETWEEN

REPUBLIC PROSECUTION

AND

STEPHEN OMUKWENYI 1ST ACCUSED

JOSEPH SHEM MAKOKHA 2ND ACCUSED

DAVID AMWESHE 3RD ACCUSED

FRANCIS MAPESA 4TH ACCUSED

RULING

1. I have gone through the record herein, and I also had the benefit of hearing and seeing some of the witnesses testify herein.
2. Am persuaded that the Republic has established a *prima facie* case against the accused persons, and I hereby put them on their defence.

**RULING DELIVERED, DATED AND SIGNED IN OPEN COURT AT KAKAMEGA THIS 24TH
DAY OF MARCH 2023**

W. M MUSYOKA

JUDGE

Mr. Erick Zalo, Court Assistant.

Ms. Kagai, instructed by the Director of Public Prosecutions, for the Republic.

Mr. Kundu, Advocate for the accused persons.

