



REPUBLIC OF KENYA



**Republic v Nagib alias Majid (Criminal Case E002 of 2022)
[2023] KEHC 20486 (KLR) (13 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20486 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE E002 OF 2022**

**A. ONG'INJO, J
JULY 13, 2023**

BETWEEN

REPUBLIC PROSECUTOR

AND

ABDUL MAJID NAGIB ALIAS MAJID ACCUSED

RULING

1. The accused Abdul Majid Nagib alias Majid faces a charge of murder contrary to Section 203 as read together with Section 204 of the *Penal Code*.
2. Particulars of the offence are that Abdul Majid Nagib alias Majid on an unknown date between December 16, 2021 and December 18, 2021 at Bondeni area in Mvita sub-county within Mombasa County murdered Nagib Abdalla Fate.
3. The prosecution called 9 witnesses to support its case. Counsel for the accused person filed submissions. From the evidence of the prosecution witnesses, this court finds that a *prima facie* case has been established sufficient to place the accused on his defence. He has a case to answer.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,
THIS 13TH DAY OF JULY 2023**

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of: -

Bebora- Court Assistant

Mr. Ngiri for the State

Mr. Obonyo Advocate for the Accused



Accused present in person in Shimo la Tewa

HON. LADY JUSTICE A. ONG'INJO

JUDGE

Court: Section 211 of the CPC complied with

Mr. Obonyo Advocate: I pray for a close defence hearing date. We shall present 3 witnesses. 2 of the witnesses will testify virtually from Dubai.

Order: Defence hearing on 20.7.2023 at 12.00 noon**

HON. LADY JUSTICE A. ONG'INJO

JUDGE

13. 7.2023

