



**Republic v Ndera alias Mwalimu & 8 others (Criminal Case  
20 of 2019) [2023] KEHC 22820 (KLR) (25 September 2023) (Ruling)**

Neutral citation: [2023] KEHC 22820 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL CASE 20 OF 2019  
RE ABURILI, J  
SEPTEMBER 25, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**RIOBA MWITA NDERA ALIAS MWALIMU ..... 1<sup>ST</sup> ACCUSED**

**JOSEPH GATI BORE ALIAS SEREHE ..... 2<sup>ND</sup> ACCUSED**

**HEMEDI NYANDOTO MERAMA ALIAS SOKORO ..... 3<sup>RD</sup> ACCUSED**

**ROBERT MAGABE MASIAGA ..... 4<sup>TH</sup> ACCUSED**

**TABITHA WANKURU BOKE ..... 5<sup>TH</sup> ACCUSED**

**DANIEL BOKE ..... 6<sup>TH</sup> ACCUSED**

**JOSPHAT MARWA MASIKU ..... 7<sup>TH</sup> ACCUSED**

**JULIUS GATI MANGORA ..... 8<sup>TH</sup> ACCUSED**

**SUSAN GATI ..... 9<sup>TH</sup> ACCUSED**

**RULING**

1. Having heard PW 1 the Investigating Officer Corporal Fredrick Odemba on why this case was filed in Kisumu High Court and not Migori High Court where the offence of murder was allegedly committed, and having heard the defence counsel and prosecution counsel not objecting to the transfer of this case from Kisumu High Court to Migori High Court; and having considered the distance and inconvenience occasioned to the accused persons and most witnesses who must travel from Kehancha to Kisumu High Court, I find that it is in the interest of justice to transfer this case from this court to Migori High Court and I so transfer this case from Kisumu High Court to Migori High Court for



hearing and final determination as the incident allegedly took place in Kehancha within the jurisdiction of Migori High Court.

2. All the accused persons to appear before Migori High Court for mention before the Judge for directions on October 2, 2023.
3. Warrant of arrest to remain in force against the 2<sup>nd</sup> accused person who is at large following his escape from lawful custody.
4. For the accused persons who are on bond, their bonds are hereby extended until October 2, 2023.
5. This file is now closed from this end.
6. Ruling to be typed forthwith.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 25<sup>TH</sup> DAY OF SEPTEMBER, 2023**

**R. E. ABURILI**

**JUDGE**

