

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL CASE NO. 58 OF 2018

REPUBLIC.....PROSECUTOR

VERSUS

NYUNDO MWAMUYE NYUNDO.....ACCUSED

RULING

1. The accused Nyundo Mwamuye Nyundo 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 on the night of 8th and 9th September 2018 at Mtsengo Village, Mwanamwanga Location at Kilifi County murdered Sidi Gowe Iha. The prosecution called 5 witnesses to support its case. Counsel for the accused person did not file submissions.
3. From the evidence of the 5 prosecution witnesses, this court find that a prima facie case has been established sufficient to place accused on his defence. He has a case to answer.

Dated, signed and delivered in Open Court/online through MS TEAMS, this 16th day of September 2021

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:-

Mohamed - Court Assistant

Ms. Keya for the State

Mr. Muthuri for the Accused

HON. LADY JUSTICE A. ONG'INJO

JUDGE