

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL CASE NO. 5 OF 2019[MURDER]

REPUBLIC.....PROSECUTOR

VERSUS

KENNEDY BENJAMIN WANDAKI WANJALA.....ACCUSED

JUDGMENT

1. On the perusal of the *nolle prosequi* dated 3.3.2020 signed by Mr. **David M. Okachi** Senior Principal Prosecution Counsel on behalf of Director of Public Prosecution, and without objection from the Accused person and his Advocate, and as the Director of Public Prosecution does not wish to proceed with the Prosecution of the Accused person Kennedy Benjamin Wandaki Wanjala for the offence of Murder; I hereby order that the Prosecution of the Accused on the information of Murder dated 29th March 2019 against the Accused **Kennedy Benjamin Wandaki Wanjala** is hereby discontinued. The Accused person **Kennedy Benjamin Wandaki Wanjala** is discharged and unless otherwise lawfully held, he is hereby set at liberty.
2. The surety (ies) are hereby discharged and their securities deposited with the Court to be returned to the surety forthwith.
3. This file is otherwise closed for purposes of any other proceedings.
4. Orders accordingly.

Dated, Signed and Delivered at Siaya this 3rd day of March, 2020.

R.E. ABURILI

JUDGE