

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

HCCRC NO. 8 OF 2018

PROSECUTOR.....REPUBLIC

VERSUS

SAMUEL MUGIE LEBOO..... ACCUSED

RULING

The accused, **SAMUEL MUGIE LEBOO**, was charged with the offence of **Murder** contrary to **Section 203** as read with **Section 204** of the **Penal Code**. He is alleged to have murdered **JOHN LEMISHEN KISOKUN**, on 4th March 2018, at Tamu Centre, Muhoroni Sub-County.

1. The prosecution called a total of seven witnesses.
2. The evidence adduced proved that the deceased, John Lemishen Kisokun died due to Severe Massive Internal Bleeding, attributable to a penetrating stab injury to the chest.
3. The evidence further placed the accused at the scene of crime, where an eye-witness saw him holding the probable killer-weapon.
4. I find that the prosecution has established a prima facie case against the accused, which could possibly lead to a conviction if the accused person fails to offer an explanation that could counter the evidence on record.
5. In effect, the accused has a case to answer, and he is therefore put to his defence.

DATED, SIGNED and DELIVERED at KISUMU

This 6th day of **May** 2020

FRED A. OCHIENG

JUDGE