

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MIGORI

[Coram: A. C. Mrima, J.]

CRIMINAL CASE NO. 6 OF 2019

REPUBLIC.....PROSECUTOR

-versus-

1. EVANS OTIENO ADUOL

2. KEVIN ODONGO ADUOL.....ACCUSED

RULING

1. The accused persons herein were jointly charged on 03/05/2019 with the murder of one **Harrison Onyango Otieno**.
2. The accused persons denied the charge and a trial was held. The prosecution called 4 witnesses.
3. This Court has patiently considered the evidence on record. I am satisfied that the prosecution has established a *prima facie* case against each of the accused persons to warrant them be placed on their defenses.
4. Consequently, the accused persons herein are hereby placed on their defenses. **Section 306(2)** of the **Criminal Procedure Code**, Chapter 75 of the Laws of Kenya is hereby complied with.

DELIVERED, DATED and SIGNED at MIGORI this 22nd day of May, 2020

A. C. MRIMA

JUDGE

Ruling delivered in open Court and in the presence of: -

Mr. Singei, Counsel for the accused persons.

Mr. Kimanthi, Learned Senior Principal Prosecution Counsel instructed by the Office of the Director of Public Prosecutions for the State.

Evelyne Nyauke – Court Assistant