



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MIGORI**

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

**CRIMINAL CASE NO. 9 OF 2018**

**(Consolidated with Criminal Case No. 11 of 2018)**

**REPUBLIC.....PROSECUTOR**

**-VERSUS-**

- 1. RICHARD OKELLO ATHIAMBO**
- 2. GEORGE OOKO ORIRO**
- 3. WASHINGTON ODOYO OLUOCH**
- 4. GEORGE OMONDIOTIENO..... ACCUSED**

**RULING**

1. The accused persons herein were jointly charged on 07/05/2018 with others not before Court with the murder of one **Boniface Alwale**.
2. The accused persons denied the charge and a trial was held. The prosecution called 10 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. Mudeyi** 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