

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT EMBU

CRIMINAL CASE NO. 28 OF 2014

REPUBLIC.....PROSECUTION

VERSUS

NATHAN NYAGA MARIOKO.....1ST ACCUSED

ANTHONY NYAGA NJAGI.....2ND ACCUSED

JAPHET MURIUKI KABURU.....3RD ACCUSED

R U L I N G

1. This is a ruling of whether there is a case to answer against the three (3) accused persons.
2. The charge against the accused persons is one of murder contrary to **Section 203 as read with Section 204 of the Penal Code**. A plea of not guilty was entered in respect of each accused person.
3. The prosecution called nine (9) witnesses in this case. I have carefully perused the evidence on record and I am convinced that a *prima facie* case has been made against the three accused persons.
4. I find that the accused persons have a case to answer and are hereby called upon to make their defences.
5. It is hereby ordered.

DATED, DELIVERED AND SIGNED AT EMBU THIS 8TH DAY OF APRIL, 2019.

F. MUCHEMI

JUDGE

In the presence of: -

Ms. Mati for State

Mr. Momanyi for 1st & 2nd accused and

h/b for Ms. Njeru 3rd accused

Accused present