



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT BUSIA**

**CRIMINAL CASE NO. 24 OF 2016**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**SYLVIA OJIAMBO WANYAMA.....ACCUSED**

**RULING**

1. At the close of the prosecution case I was urged to make a finding that the prosecution did not establish a prima facie case against the accused person to warrant her being placed on her defence. The prosecution on the other hand contended that it had discharged its burden.
2. From the evidence on record, I find that the prosecution has established a *prima facie* case against the accused person. She is accordingly placed on her defence under section 306 (2) of the Criminal Procedure Code.

**DELIVERED and SIGNED at BUSIA this 17<sup>th</sup> day of July, 2018**

**KIARIE WAWERU KIARIE**

**JUDGE**