



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT MERU**  
**CRIMINAL CASE NO. 34 OF 2016**

**REPUBLIC.....PROSECUTOR**

**VS**

**JULIUS NKUNJA.....ACCUSED**

**RULING**

The accused Julius Nkunja was charged with the offence of Murder contrary to section 203 as read with section 204 of the Penal code.

Particulars are that Julius Nkunja on 20<sup>th</sup> day of February 2016 at around 2.00 pm at Kiinjo sublocation, Katheri East Location in Imenti Central within Meru County murdered Stephen Mbaya Mwirebua.

The Prosecution called PW7 Dr. Maria Muthoni Mwangi who produced PM Report prepared by Dr. Brian Bett who carried out autopsy on the body of the deceased confirming death was caused by excessive bleeding from a cut on the frontal side of the head.

PW1 the father of the deceased PW2 the wife of the deceased and pW4 the Mother of the deceased saw accused inflict injuries on the deceased with a fork jembe which led to his death.

The evidence of the doctor and the 3 witnesses together with evidence of Investigating officer PW6 and PW5 who took the deceased to hospital makes this court find that prosecution has raised a prima facie case sufficient to place accused on his defence. He has a case to answer.

**HON. A.ONG'INJO**

**JUDGE**

**6.12.2018**

**Before Adwera Ong'injo J**

Kinoti –C/A

Mrs Mwathi for state

Mr Frank Gitonga Advocate for accused – Mr Kaumbi holding brief

Accused – present in person

**Court**

**RULING DELIVERED, DATED AND SIGNED THIS 6<sup>TH</sup> DAY OF DECEMBER 2018**

Section 211 C.P.C explained to accused how to defend himself and he replies:-

**Accused:**

Sworn evidence

No witnesses.

**Order**

Dhg 24.1.2019

Accused Bond extended.

**HON. A.ONG'INJO**

**JUDGE**