

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NANYUKI

CRIMINAL CASE NO. 18 OF 2016

REPUBLIC PROSECUTOR

-Versus-

LOKULA ACHUKA ALIAS HASSAN ACCUSED

RULING

1. The accused **LOKULA ACHUKA** alias **HASSAN** is charged with **offence of murder Contrary to Section 203 as read with Section 204 of the Penal Code**. He pleaded not guilty to that charge. The prosecution called total of nine witnesses before closing its case.
2. This court is obligated under **Section 306** of the Criminal Procedure Code Cap 75 to consider whether the accused has a case to answer.
3. I have reconsidered the evidence tendered by the prosecution and I am satisfied that that evidence is sufficient for the accused to be called upon to defend himself. Accordingly as per **Section 306 (2) of Cap 75** the accused is called upon to elect how he shall present his defence. In that regard he is informed that he has the right to address the court, either personally or by advocate and given evidence on his own behalf, or to make unsworn statement and to call witnesses in his defence.

Dated and Delivered at Nanyuki this 25th January, 2017

MARY KASANGO

JUDGE

Coram

Before Justice Mary Kasango

Court Assistant: Njue

Accused: **LOKULA ACHUKA ALIAS HASSAN**

For state:

COURT

Ruling delivered in open court

MARY KASANGO

JUDGE