

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT VOI

CRIMINAL CASE NO 5 OF 2015

REPUBLIC

VERSUS

MWANYIKA MBELE.....1ST ACCUSED PERSON

SAIDI MWAKE.....2ND ACCUSED PERSON

RULING

1. On 28th March 2017, the Prosecution closed its case after calling a total of twelve (12) Prosecution witnesses.
2. Counsel for the Accused persons indicated that he would not file Written Submissions on the question of whether or not the said Accused persons had a case to answer. However, the State requested for time to file the same. It filed its Written Submissions dated 12th April 2017.
3. Having carefully considered the evidence by the Prosecution witnesses and the Written Submissions by counsel for the State, this court was of the opinion that a *prima facie* case had been established against the Accused persons to warrant them being put on their Defence. They are hereby put on their defence.
4. It is so ordered.

DATED and DELIVERED at VOI this 3rd day of May 2017

J. KAMAU

JUDGE

In the presence of:-

Mwinzi for Accused persons

Miss Anyumba for State

Josephat Mavu– Court Clerk