

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KAKAMEGA
CRIMINAL CASE NO. 6 OF 2011

REPUBLIC.....STATE COUNSEL

VERSUS

DISMAS ITSUTSA.....ACCUSED

RULING

1. On 14/02/2011, the Accused herein **DISMAS ITSUTSA** was charged with the Murder of one **PIUS MUYEKHO**.
2. He pleaded not guilty and thereafter the hearing of the case commenced. The prosecution called a total of 6 witnesses in its bid to prove the charge against the Accused.
3. At the close of the prosecution case on 26/11/2014 the parties invited the Court to make a ruling while reserving their submissions.
4. This Court has perused the record and the evidence tendered. It is a fact that the said **PIUS MUYEKHO** lost his life and in view of the available evidence it would be only prudent to hear the Accused on what he may have to say on the charge, if any.
5. On that footing and upon the assessment of the evidence on record, this Court is satisfied that the prosecution has adduced sufficient evidence to warrant the Accused be placed on his defence.
6. The Accused herein is accordingly put on his defence.

DATED, DELIVERED AND SINGED AT KAKAMEGA THIS 12TH DAY OF FEBRUARY 2015.

A.C. MRIMA

JUDGE