

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
CRIMINAL CASE NO.18 OF 2010

REPUBLIC - **PROSECUTOR**
VERSUS
BERNARD KIPCHIRCHIR RONO - **ACCUSED**

RULING

Bernard Kipchirchir Rono, the accused person herein, is before this court on the information of the Honourable Attorney General dated 8th November 2010 duly charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code. The prosecution summoned 12 (twelve) witnesses to testify in support of its case. At the close of the prosecution's case learned counsels from both sides were invited to make submissions on whether or not the accused had a case to answer.

I have considered the evidence presented by the prosecution and the rival submissions. It is clear from the evidence that the accused was placed at the scene of crime during the fateful night. The accused was seen fleeing the scene of crime immediately after the deceased had been injured. In sum there is cogent circumstantial evidence linking the accused with the offence of murder. For the above reasons, the accused is placed on his defense. It is now upon him and his legal advisers to state whether or not he would personally testify. If yes, whether or not he would tender sworn evidence. The accused should further indicate whether or not he would summon witnesses.

Dated, signed and delivered in open court at Kericho this 16th day of May 2014.

J. K. SERGON

JUDGE

In the presence of:

- Miss. Kivali for Director of Public Prosecution**
- Mr. Miruka for Accused**
- Accused: present in person**