



**Republic v Wainaina (Criminal Case E2985 of 2022)
[2024] KEMC 140 (KLR) (30 May 2024) (Ruling)**

Neutral citation: [2024] KEMC 140 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
CRIMINAL CASE E2985 OF 2022
PA NDEGE, SPM
MAY 30, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

MIKE NDONGA WAINAINA ACCUSED

RULING

1. The accused; Mike Ndonga Wainana, was arrested on 7th September 2022 and was subsequently arraigned before this court on 14th September 2022. The accused is hereby charged with the offence of breaking into a building and committing a felony contrary to Section 306 of the Penal Code Cap 63 Laws of Kenya, as has been noted by the nature of the charge sheet.
2. The accused herein, is alleged to have broken into a building, namely, Nest Pub on 31st July 2022, in Nakuru West Sub-County, where he is charged with stealing 2 TV sets, sound woofer, TV mounting, padlocks, till mobile phone and assorted brands of alcoholic drinks, all valued at Kshs. 179, 415.
3. Having considered the prosecution’s case and evidence, I do hereby find that the prosecution has forwarded a prima facie case and as such, the accused is hereby put to his defense, as provided for under Section 211 of the Criminal Procedure Code.

DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 30TH DAY OF MAY 2024.

**ALOYCE-PETER-NDEGE
SENIOR PRINCIPAL MAGISTRATE**

In the presence of;

Prosecution Counsel: Chinga



Accused person: Present

Victim: Absent

