



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Lesen alias John Lesen (Criminal Case E028 of 2022)
[2025] KEHC 18194 (KLR) (4 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 18194 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E028 OF 2022
JM NANG'EA, J
DECEMBER 4, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

SIMON LESEN ALIAS JOHN LESEN ACCUSED

RULING

1. The Accused is charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code. The particular of the offence state that: -

On the 1st day of January, 2019 at around 0300 hours at Songoroi “B” village in Gilgil Sub-County within Nakuru County, murdered Sammy Kusen Mebarne.
2. The accused denied the charge.
3. The defence made no submissions on “no case to answer”. Having perused the prosecution evidence against the charge. I find that a prima facie case warranting placing the Accused on her/his defence is made out (see definition of prima facie. Case in the often quoted case of Republic v Ramilal Bhatt).
4. As is judicial practice, the court shall not give reasons for the decision so as not to give the impression that it has made up its mind before hearing any defence that may offered by the Accused.
5. The Accused is accordingly put on his defence to the charge.

J. M. NANG'EA, JUDGE

JUDGEMENT DATED, SIGNED AND DELIVERED VIRTUALLY AT NAKURU THIS 4TH DAY OF DECEMBER, 2025.

In the presence of:

Mr. Wakasyaka for the DPP



Defence Counsel, Ms. Mugweru

Accused

Court Assistant - Justine

J. M. NANG'EA, JUDGE

