



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KAKAMEGA

CRIMINAL CASE NO. E030 OF 2022

REPUBLIC

PROSECUTOR

VERSUS

BONFACE MWITSA Alias BARTHOLO

ACCUSED

RULING

1. The Accused is charged with murder contrary to Section 203 as read with Section 204 of the Penal Code.
2. I have perused the evidence adduced by the prosecution. According to the post-mortem report, the Accused died as a result of external blood loss secondary to sharp force trauma following assault.
3. An eye witness testified that a confrontation arose between the Accused and another man which led to the assault upon the deceased.

4. There is sufficient evidence to call for an explanation by the Accused. He is therefore placed in his defence.

Dated, signed and delivered at Kakamega this 19th day of December 2025.

A. C. BETT

JUDGE

In the presence of:

Ms. Chala for the Prosecution

No appearance for Mr. Arwanda for the Accused

Court Assistant: Polycap