



**Republic v Wekesa alias Mohammed (Criminal Case E044 of 2024)
[2026] KEHC 532 (KLR) (20 January 2026) (Ruling)**

Neutral citation: [2026] KEHC 532 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
CRIMINAL CASE E044 OF 2024
MS SHARIFF, J
JANUARY 20, 2026**

BETWEEN

REPUBLIC PROSECUTION

AND

SAMUEL WANGILA WEKESA ALIAS MOHAMMED ACCUSED

RULING

1. Whereas this case is coming up for hearing of the prosecution’s case today, Mr Otieno for the State has applied for an adjournment on grounds that whereas his 3 witnesses are present in court, they have made reference to electronic evidence, in their statements, which evidence has not been availed to him today.
2. Mr Were for the defence is opposed to the adjournment of this case on grounds of ambush; that this evidence is new and was never supplied to the defence during pre-trial.
3. I have considered this Application and the resistance made by the defence and I do agree with defence that the State ought to have availed all its evidence be it electronic or otherwise to the defence during pre-trial so as to enable it prepare itself properly for the defence hearing. That notwithstanding I do note that the Prosecution has only adduced the evidence of one witness and given that it has undertaken to make amends by supplying the defence with the said electronic evidence which was mentioned in it’s witnesses statements, I will allow the adjournment sought.
4. I thus adjourn this case to 18.5.2026.
5. The State is directed to supply the defence with the electronic and any other evidence that it intends to rely on by 30th March 2026.
6. The witnesses present to be reimbursed of their travelling expenses.

DELIVERED, SIGNED AND DATED AT BUNGOMA THIS 20TH DAY OF JANUARY, 2026.



MWANAISHA S. SHARIFF
JUDGE

