



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
Where Legal Information is Public Knowledge

**Republic v Angatia (Criminal Case E005 of 2025)  
[2026] KEHC 3421 (KLR) (13 March 2026) (Ruling)**

Neutral citation: [2026] KEHC 3421 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
CRIMINAL CASE E005 OF 2025  
WM MUSYOKA, J  
MARCH 13, 2026**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**DOUGLAS BUSHURU ANGATIA ..... ACCUSED**

**RULING**

1. The accused person herein was initially charged with the murder of Mercy Naliaka, on 4<sup>th</sup> March 2025, contrary to section 203, as read with section 204, of the Penal Code, Cap 63, Laws of Kenya. He pleaded not guilty, and a trial commenced, 7 witnesses testified.
2. After the 6<sup>th</sup> witness testified, and on a date when the prosecutor was not present, on account of illness, and in the absence of his own Advocate, Mr. Otieno, the accused indicated that he wanted to self-represent, claiming that he did not require an Advocate, and accusing his Advocate of never visiting him in remand. I discharged his Advocate, and allowed the accused to self-represent. When the matter came up next for hearing, the accused insisted on self-representing, and the 7<sup>th</sup> witness testified, and the accused cross-examined him. At the end of the hearing, that day, he asked to be supplied with the witness statements.
3. When the witness statements were supplied to the accused, he asked for time to study them. When the matter came up next, he asked for plea bargain. His previous Advocate, Mr. Otieno, was in court, and offered to assist him with preparing the relevant documents, and he was reassigned to him. The paperwork was done, and on 11<sup>th</sup> March 2026, the murder charge was reduced to manslaughter. He pleaded guilty to the reduced charge, and was convicted, based on the plea bargain. The facts were read out to him, and his Advocate mitigated. I reserved the matter for ruling on sentence.
4. As I prepared to write the said ruling, I established that I did not have any material on the antecedents of the accused, except for the statement in mitigation, made by Mr. Otieno. I also did not have any



material on the views or sentiments of the family of the victim, nor those of the community that the accused hails from.

5. To facilitate a wholesome determination of the appropriate sentence, I do hereby direct that the County Director of Probation and Aftercare services, do hereby look into the antecedents of the accused, seek the views of the family of the victim and of the local community, and file a report herein, in 14 days. The matter shall be mentioned on 15<sup>th</sup> April 2026, to receive the report, and for further directions thereafter.

**DELIVERED, DATED AND SIGNED IN OPEN COURT, AT BUSIA,**

**THIS 13<sup>TH</sup> DAY OF MARCH 2026.**

**W MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Onanda, instructed by the Director of Public Prosecutions, for the Republic.

Mr. Otieno, Advocate for the accused person.

