

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT BUSIA
CRIMINAL CASE NO. E003 OF 2025

REPUBLIC.....DIRECTOR OF PUBLIC PROSECUTIONS

VERSUS

JOSEPHAT OUMA WANDERA.....
ACCUSED

RULING

1. I had the benefit of seeing and hearing the witnesses who testified in this matter.
2. The deceased died inside the house of the accused, where he had gone to collect a debt from the accused. Witnesses placed him within the vicinity.
3. I am persuaded that a *prima facie* case has been established against the accused person, to warrant him being put on his defence, for he has a case to answer, given the circumstances.
4. I hereby put him on his defence, which shall be conducted on 5th May 2026.
5. In the meantime, the Deputy Registrar shall cause the proceedings to be typed.

**DELIVERED, DATED AND SIGNED, IN OPEN COURT, AT BUSIA,
ON THIS 13TH DAY OF MARCH 2026.**

WM MUSYOKA
JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates.

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

Mr. Tyson Otieno, instructed by Masiga Otieno & Associates, Advocates for the accused.