



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Kiboro (Criminal Case E033 of 2022)
[2025] KEHC 5288 (KLR) (30 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 5288 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E033 OF 2022
HI ONG'UDI, J
APRIL 30, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

PATRICK SITIENEI KIBORO ACCUSED

RULING

1. Patrick Sitienei Kiboro the accused herein stands charged with the offence of murder contrary to section 203 as read with section 204 of the *Penal Code*. The particulars are that the accused on 4th June, 2022 at Mariashoni Trading Center in Molo sub county within Nakuru county murdered Newton Magut Barngetuny. The accused denied the charge and the case proceeded to full hearing with the prosecution calling a total of nine (9) witnesses who testified.
2. Upon close of the prosecution case both parties filed submissions.
3. The post mortem report by Dr. Biketi George (PW1) confirmed the cause of death to be a head injury due to massive blunt force trauma to the head. This was not a natural death.
4. Upon careful consideration of the rest of the evidence and written submissions I am satisfied that the prosecution has established a prima facie case against the accused who I hereby place on his defence under section 306(2) of the *Criminal Procedure Code*.
5. Orders accordingly.

DELIVERED, DATED AND SIGNED THIS 30TH APRIL, 2025 IN OPEN COURT AT NAKURU.

H. I. ONG'UDI

JUDGE

