



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Bogomba (Criminal Case E043 of 2021)
[2025] KEHC 7012 (KLR) (28 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 7012 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E043 OF 2021
HI ONG'UDI, J
MAY 28, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

MICAH NYABERI BOGOMBA ACCUSED

RULING

1. Micha Nyaberi Bogomba hereinafter referred to as the accused is charged with the offence of Murder contrary to section 203 as read with section 204 of the *penal code*. The facts being that the accused on 27th August, 2021 at Workers area in Nakuru North sub-county within Nakuru county murdered, Boniface Njangi Maina.
2. The accused denied the charge and the case proceeded to full hearing with the prosecution calling a total of seven (7) witnesses. The said witnesses testified on what they knew about the case.
3. Dr. Titus Ngulungu testified as PW6. He gave the cause of death as mass blood loss due to the chest injury. The chest had a stab wound which when opened was found to have two (2) litres of blood in it. There was a puncture wound on the left side of the chest which penetrated into the lung. There were other several injuries. Its therefore not disputed that the cause of death was not a natural one. He produced the post mortem as EXB 3
4. A government analyst (PW7) produced his analysis report (EXB 6a) which clearly set out his findings.
5. Both counsel filed submissions which I have considered alongside EXB 3, & 6a plus the evidence of all the other witnesses. My finding is 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*.
6. Orders accordingly



DELIVERED VIRTUALLY DATED AND SIGNED THIS 28TH DAY OF MAY, 2025 IN OPEN COURT AT NAKURU.

H. I. ONG'UDI

JUDGE

