



**Republic v Khachira & another (Criminal Case 3 of 2021)  
[2024] KEHC 2060 (KLR) (28 February 2024) (Ruling)**

Neutral citation: [2024] KEHC 2060 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VIHIGA  
CRIMINAL CASE 3 OF 2021  
JN KAMAU, J  
FEBRUARY 28, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**PATRICK CHENGO KHACHIRA ..... 1<sup>ST</sup> ACCUSED**

**JUSTON AYODI KEYA ..... 2<sup>ND</sup> ACCUSED**

**RULING**

1. This matter was part heard before Musyoka J, Amin J. and P. J. Otieno J. This court became seized of this matter on 21<sup>st</sup> March 2023. The parties asked it to hear the matter de novo.
2. On 1<sup>st</sup> November 2023, the Prosecution closed its case after calling a total of seven (7) Prosecution witnesses.
3. Both the Prosecution and the Accused persons filed Written Submissions on the question of whether or not the Accused persons had a case to answer. The Prosecution’s Written Submissions were dated and filed on 9<sup>th</sup> November 2023 while those of the Accused persons were dated 19<sup>th</sup> December 2023 and filed on 20<sup>th</sup> December 2023.
4. Having carefully considered the evidence by the Prosecution witnesses and parties’ Written Submissions, the court was of the opinion that a prima facie case had been established against the Accused persons herein to warrant them being put on their Defence. They are hereby put on their defence.
5. It is so ordered.

**DATED AND DELIVERED AT VIHIGA THIS 28<sup>TH</sup> DAY OF FEBRUARY 2024**

**J. KAMAU**



**JUDGE**

