



**Republic v Omutanyi (Criminal Case 04 of 2018)
[2024] KEHC 1947 (KLR) (22 February 2024) (Ruling)**

Neutral citation: [2024] KEHC 1947 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE 04 OF 2018
PJO OTIENO, J
FEBRUARY 22, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

MOSES AKALA OMTANYI ACCUSED

RULING

1. The deceased was cohabiting with the Accused. On the date she was found dead in the house both occupied, the Accused had informed PW1 to go and visit the deceased who he alleged to have been sick. The Accused then disappeared.
2. The evidence led circumstantially and in a *prima facie* manner connect the Accused to the death in a fashion that demands that he offers an explanation otherwise. He has a case to answer.
3. Defence hearing on 23.5.2024.

DATED, SIGNED AND DELIVERED AT KAKAMEGA, THIS 22ND DAY OF FEBRUARY, 2024.

PATRICK J. O. OTIENO

JUDGE

In the presence of:

Ms. Chala for the Prosecution

Mr. Getanda for the Accused

Accused present

Court Assistant: Polycap Mukabwa

