



**Republic v Ntonja (Criminal Case 39 of 2016)  
[2024] KEHC 3207 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3207 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
CRIMINAL CASE 39 OF 2016  
EM MURIITHI, J  
MARCH 20, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**KENNEDY NTONJA ..... ACCUSED**

**RULING**

1. The court has considered the evidence adduced by the Prosecution witnesses in the matter seeking to prove the charge of murder C/S 203 as read with 204 of the Penal Code.
2. The court is of the opinion that the Prosecution has established a Prima facie case within the meaning of *Bhatt v R* [1957] EA 332.
3. In accordance with the guidance of the Court of Appeal in Antony Njue Njeru v R [2006] eKLR [No. 177/2006] the court does not give reasons for its opinion at this stage.
4. The Accused is placed on his defence in accordance with Section 306 (2) of the Criminal Procedure Code, and his rights there under are explained.
5. The defence hearing shall be heard on a date to be fixed in consultation with counsel for the Accused and the DPP.

**DATED AND DELIVERED THIS 20TH DAY OF MARCH 2024.**

**EDWARD M. MURIITHI**

**JUDGE**

**APPEARANCES:**

**M/S. Mokuia Advocates for the Accused.**



**Mr. Mukangu for DPP**

