



**Republic v Obemi & 2 others (Criminal Case E001 of 2023)  
[2024] KEHC 4102 (KLR) (26 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4102 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
CRIMINAL CASE E001 OF 2023  
WM MUSYOKA, J  
APRIL 26, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**FRED OTIENO OBEMBI ..... 1<sup>ST</sup> ACCUSED**

**JAMES OTIENO ONYANGO ..... 2<sup>ND</sup> ACCUSED**

**EVANS JUMA ODUOR ..... 3<sup>RD</sup> ACCUSED**

**RULING**

1. I have perused the record herein, and I had the benefit of hearing all the witnesses who testified.
2. I am persuaded that the prosecution has established a *prima facie* case against the accused persons, and I do find that they have a case to answer, and I accordingly put them on their defence.
3. The defence hearing shall happen on a date to be appointed at the delivery of this ruling.

**RULING DELIVERED, DATED AND SIGNED IN OPEN COURT AT BUSIA THIS 26<sup>TH</sup> DAY OF  
APRIL 2024**

**WM MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

**Advocates**

Ms. Chepkonga, instructed by the Director of Public Prosecutions, for the Republic.

Mr. Ouma, Advocate for the accused persons.

