



REPUBLIC OF KENYA



**KENYA LAW**  
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**Okello v Republic (Criminal Appeal 79 of 2016)  
[2022] KEHC 373 (KLR) (26 April 2022) (Ruling)**

Neutral citation: [2022] KEHC 373 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL APPEAL 79 OF 2016  
RE ABURILI, J  
APRIL 26, 2022**

**BETWEEN**

**DENNIS ODHIAMBO OKELLO ..... APPELLANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(An Appeal arising from Judgment, conviction and sentence in PM's Bondo, Sexual Offence case No. 63 of 2018 and Siaya HCCRA No. 54/2019 & HCCRA No. 53/2019)*

**RULING**

1. Appellant is absent. Upon consulting Kisumu Maximum Prison virtually, the prisons authorities indicate that the appellant also filed HCRA 53/2019 and that vide a judgment delivered on 19/3/2020, the High Court at Siaya ordered for a retrial of the appellant at Bondo PM's court.
2. I have also called for and perused HCRA 53/2019 and I observe that in the said appeal which was determined on 19/2/2020 and not 19/3/2020 as stated by the Kisumu Maximum Prison officers, the appellants therein were Dan Otieno Okoth, Richard Odongo Abonyo and Dennis Odhiambo Okello.
3. This considered their appeals and ordered for a retrial before Bondo PM's court.
4. Another Appeal HCRA 59/2019 involving Richard Odongo Obonyo had been omitted in the consolidation with HCRA 79/2019 all arising from Bondo PM Sexual Offence No. 63/2018 was also closed on 21/4/2022.
5. For the reasons that this appeal was consolidated with HCRA 53/2019, HCRA 54/2019, HCRA 79/2019, there is no appeal pending.
6. This file is accordingly closed.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 26<sup>TH</sup> DAY OF APRIL, 2022**



**R.E. ABURILI**  
**JUDGE**

