



**Atsiaya v Republic (Miscellaneous Criminal Application
E001 of 2021) [2022] KEHC 10285 (KLR) (24 June 2022) (Ruling)**

Neutral citation: [2022] KEHC 10285 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
MISCELLANEOUS CRIMINAL APPLICATION E001 OF 2021**

WM MUSYOKA, J

JUNE 24, 2022

BETWEEN

GEOFFREY ATSIAYA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Motion herein, dated 12th January 2022, principally seeks grant of bond, transfer of a case from one trial court to another and vacation of orders made by the trial court on 22nd November 2021.
2. The applicant is an accused person in Kakamega CMCCRC No. 1995 of 2020. That is the suit that he would like to have transferred from the Magistrate trying him to another Magistrate, and to set aside orders made in that case on 22nd November 2021.
3. In exercise of the discretion given to me by Article 165(6) (7) of *the Constitution*, with respect to supervision of subordinate courts, I do hereby call for the file in Kakamega CMCCRC No. 1995 of 2020 for perusal for the purpose of considering whether I should give any orders or directions in that matter to ensure fair administration of justice, based on the application that the applicant before me.
4. Consequently, I do hereby direct the Deputy Registrar to call for the trial records in Kakamega CMCCRC No. 1995 of 2020.
5. The matter shall be mentioned on 29th July 2022. A production order shall issue. Copies of this ruling to be made available to the applicant and the Office of the Director of Public Prosecutions.

DELIVERED, DATED AND SIGNED AT KAKAMEGA ON THIS 24TH DAY OF JUNE 2022

W M MUSYOKA

JUDGE



Erick Zalo, Court Assistant.

Geoffrey Atsiaya, the applicant, in person.

Mr. Mwangi, instructed by the Director of Public Prosecutions, for the respondent.

