



**Emmanuel v Office of the Director of Public Prosecutions & another (Miscellaneous Criminal Application E126 of 2022) [2022] KEHC 14030 (KLR) (29 September 2022) (Ruling)**

Neutral citation: [2022] KEHC 14030 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
MISCELLANEOUS CRIMINAL APPLICATION E126 OF 2022  
RE ABURILI, J  
SEPTEMBER 29, 2022**

**BETWEEN**

**KIBET TONUI EMMANUEL ..... APPLICANT**

**AND**

**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS 1<sup>ST</sup> RESPONDENT**

**TRAFFIC BASE COMMANDER POLICE STATION ..... 2<sup>ND</sup> RESPONDENT**

**RULING**

1. On application by the applicant's counsel as guided by the court, the application dated September 26, 2022 be and is hereby marked as wholly withdrawn.
2. The applicant is at liberty to file an application before the trial court in the Criminal Case File No Cr E264/2022 at Siaya Chief Magistrate's court for consideration on whether his motor vehicle Kxx xxxW should be released to him.
3. File is now closed.
4. I so order.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 29<sup>TH</sup> DAY OF SEPTEMBER, 2022**

**R.E. ABURILI**

**JUDGE**

