



REPUBLIC OF KENYA



KENYA LAW
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**Otieno v Republic (Criminal Appeal E023 of 2022)
[2022] KEHC 13181 (KLR) (23 September 2022) (Ruling)**

Neutral citation: [2022] KEHC 13181 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL APPEAL E023 OF 2022
RE ABURILI, J
SEPTEMBER 23, 2022**

BETWEEN

JARED OTIENO APPELLANT

AND

REPUBLIC RESPONDENT

*(An Appeal from Judgment, Conviction and sentence delivered on
4/3/2022 in Principal Magistrate's Court at Bondo in Criminal
Case No. E1817 of 2021 by Hon. S. Mathenge, Resident Magistrate)*

RULING

1. The appellant herein Jared Otieno was convicted of the offence of arson contrary to section 332(a) of the *Penal Code* and sentenced to serve 10 years imprisonment by Hon S Mathenge, Resident Magistrate in Bondo PM Cr Case No E1817/2021 on March 4, 2022.
2. Our records in the High Court show that he filed HCCRA E014/2022 on March 16, 2022. It is surprising that subsequently he filed this appeal arising from the same conviction and sentence.
3. I find this appeal to be an abuse of court process, for the appellant to duplicate appeals before this court.
4. This appeal is dismissed. The court will hear and determine HCRA E014/2022 filed on March 16, 2022 on its merits. I so order. This file is hereby closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 23RD DAY OF SEPTEMBER, 2022

R.E. ABURILI

JUDGE

