



**Janeno v Republic (Miscellaneous Criminal Application E151 of 2022)
[2022] KEHC 16631 (KLR) (19 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16631 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E151 OF 2022
RE ABURILI, J
DECEMBER 19, 2022**

BETWEEN

JACK OMOLLO JANENO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application seeking for orders for release of applicant's property and for sentence reduction arising from Judgment, conviction and sentence in Siaya HCCRC No. E011/2021 by Hon. R.E. Aburili J)

RULING

1. I have considered the application dated December 17, 2022 seeking orders for release of the convict/applicant's property namely Motorcycle No xxxx, Make, Boxer 100cc Red in colour written 'Janeno Jawagusu', which was taken by the police at the commencement of investigations and produced in court as an Exhibit No Pex 2.
2. The applicant who is the convict in Siaya HCR E011/2021 is Jack Omollo Janeno. He wants the above motorcycle released to his daughter Rael Ouma Omollo of ID No xxxx Phone No xxxx.
3. I have perused the application and note that the applicant had initially written to court on May 25, 2022 and was referred to DCI Bondo who also wrote to the Deputy Registrar on June 23, 2022. The DCIO Bondo attached a receipt to purchase of the stated motorcycle by the applicant from Nakuru Equipment Supplies Limited. Further, no other person has laid claim to the said motorcycle.
4. For the above reasons, I find the prayer for release of the motorcycle xxxx merited. I grant it and direct the Court Administrator of this court to release the above named motorcycle to Rachael Auma Omollo upon her identification to the court and a proper endorsement and acknowledgment be recorded on the file herein and in Cr E011/2021.



5. I further direct that as the telephone number for the recipient is given, she be called and informed to come and collect the motorcycle forthwith.
6. On the prayer for reduction of sentence in HCR E011/2021, I find the same to be misplaced. I need not delve into its merits. It is declined for want of jurisdiction.
7. I so order.
8. This file is closed.

Dated, signed and Delivered at Siaya this 19th Day of December, 2022

R.E. ABURILI

JUDGE

