



**Odhiambo v Republic (Miscellaneous Criminal Application
E098 of 2022) [2022] KEHC 16721 (KLR) (19 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16721 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E098 OF 2022
RE ABURILI, J
DECEMBER 19, 2022**

BETWEEN

KENNEDY OMONDI ODHIAMBO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application arising from Bondo PM's Criminal Case No. 242/2016)

RULING

1. This matter was filed on August 25, 2022 but this is the time it is being availed to my chambers for action. The lower court file was requested for immediately and a reminder send on October 13, 2022 but the same has not been availed and no response has been made by Bondo Law Courts wherein Cr Case No 242/2016 was allegedly heard and determined on June 4, 2021.
2. This court is not persuaded that a case of 2016 could pend before Bondo Law Courts until June 4, 2021.
3. Bondo Law Courts has been very responsive in submitting lower court files and in hearing and determining cases.
4. I decline to consider the matter herein and mark the file as closed.
5. The applicant to file a fresh application quoting the correct court file from Bondo Principal Magistrate's Court, annexing a committal warrant.
6. This file is closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 19TH DAY OF DECEMBER, 2022

R.E. ABURILI



JUDGE

