

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT BUSIA

HC.CR.MISC.APPL NO.36 OF 2011

REPUBLIC.....APPLICANT

VERSUS

WILLIES OKERE OMOLLO ALIAS ALAN PHILIP ODHIAMBO.....RESPONDENT

RULING

I have carefully considered this application in which the Police at Busia, Kenya seek a transfer and handing over of one Willies Okere Omollo alias Allan Philip Odhiambo by Uganda Police to Kenya Busia Police. I note that the subject is a Kenyan who was being tried at Busia Principal Magistrate's court for the serious offence of Robbery with Violence before he escaped with several others. He must have crossed the national border to Uganda where now he has also been arrested.

I have considered the reasons given in this application for seeking to have the subject returned to Busia Police in Kenya. I am satisfied that there are good reasons to have the said Willies Okere Omollo alias Allan Philip Odhiambo handed over to Kenya Police. That is to say, he escaped from G.K. Prison Busia, he was facing a criminal trial for the offence of Robbery with Violence which trial is partly done and he is to face other charges arising from his escape.

In the above circumstances the application is allowed as prayed and orders are made accordingly as prayed.

D.A. ONYANCHA

JUDGE

12/7/2011