



**Anabaka v Republic (Criminal Revision 61 of 2024)  
[2025] KEHC 1500 (KLR) (14 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1500 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 61 OF 2024  
DR KAVEDZA, J  
FEBRUARY 14, 2025**

**BETWEEN**

**ASMAN KHATA ANABAKA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged with two counts for the offence of robbery with violence contrary to section 295 as read with section 296(2) of the *Penal Code*. In both counts, the applicant committed the offence while armed with crude weapons namely pistols and knives and during the robbery he used violence against the complainant.
  2. In 2018, he filed a revision application no. 120 of 2018 challenging the constitutionality of the mandatory death sentence that was imposed by the trial court. Consequently, the applicant was resented to 20 years imprisonment on 26<sup>th</sup> of April 2019 by the lower court. He has now filed the present application before this court.
  3. Considering the nature of the offences that the applicant committed and the aggravating circumstances, it is my view that the sentence of 20 years imprisonment is appropriate for the offence.
  4. I therefore find that the application is an abuse of the court process and it is hereby dismissed.
  5. The applicant is bared from filing any similar application without the leave of this court.
- Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 14<sup>TH</sup> DAY OF FEBRUARY 2025**

**D. KAVEDZA**

**JUDGE**

