



Republic v Otieno & another (Miscellaneous Criminal Application E006 of 2025) [2025] KEHC 1808 (KLR) (13 February 2025) (Ruling)

Neutral citation: [2025] KEHC 1808 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
MISCELLANEOUS CRIMINAL APPLICATION E006 OF 2025
WM MUSYOKA, J
FEBRUARY 13, 2025**

BETWEEN

REPUBLIC APPLICANT

AND

MORRIS OTIENO 1ST RESPONDENT

MOSES OMIA TONGOTO 2ND RESPONDENT

RULING

1. A Motion, dated 6th February 2025, has been placed before me. It seeks transfer of the criminal case in Busia CMCCRC No. E351 of 2024 to the Port Victoria Law Courts.
2. The offence, the subject of the charge and prosecution, in Busia CMCCRC No. E351 of 2024, was allegedly committed within the Samia Sub-County of Busia County, which falls within the local limits of the jurisdiction of the Port Victoria Court.
3. The order that I make, in the circumstances, is that the file in Busia CMCCRC No. E351 of 2024 shall be transferred to the Port Victoria Senior Resident Magistrate’s Court, for hearing and disposal.

DELIVERED, DATED AND SIGNED, IN CHAMBERS, AT BUSIA, THIS 13TH DAY OF FEBRUARY 2025.

W MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Onanda Antony, instructed by the Director of Public Prosecutions, for the applicant.

