



Assets Recovery Agency v Njuguna; Interdunia Mombasa Limited (Interested Party) (Anti-Corruption and Economic Crimes Civil Suit E029 of 2024) [2025] KEHC 5508 (KLR) (Anti-Corruption and Economic Crimes) (2 May 2025) (Judgment)

Neutral citation: [2025] KEHC 5508 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
ANTI-CORRUPTION AND ECONOMIC CRIMES
ANTI-CORRUPTION AND ECONOMIC CRIMES CIVIL SUIT E029 OF 2024**

BM MUSYOKI, J

MAY 2, 2025

BETWEEN

ASSETS RECOVERY AGENCY APPLICANT

AND

MORIS MAINA NJUGUNA RESPONDENT

AND

INTERDUNIA MOMBASA LIMITED INTERESTED PARTY

JUDGMENT

1. The applicant, a statutory body incorporated under Section 53A of [Proceeds of Crime and Anti-Money Laundering Act](#) (hereinafter referred to as 'POCAMLA') has vide an originating motion dated 10th September 2024 pleaded that this court grants the following orders;
 - a. Orders declaring motor vehicle registration number KDG 0X4L Chassis number ACVRRJRXXK4079963 Van/Pickup registered in the name of the respondent and motor vehicle registration number KDB 7X2N Toyota fielder Chassis number NKE1657021109 registered in the name of the interested party as proceeds of crime liable for forfeiture.
 - b. Orders of forfeiture of the motor vehicles registered in the name of the respondent and the interested party in prayer 1 above to the Assets Recovery Agency on behalf of the Government.
 - c. An order directing the Director National Transport and Safety Authority (NTSA) to transfer ownership of the motor vehicles in prayer 1 in favour of the applicant.



- d. Any other ancillary orders it may deem fit and necessary for the proper and effective execution of its orders.
 - e. Costs be provided for.
2. The application is premised on claim that the two motor vehicles are good candidates for forfeiture pursuant to Section 90(1) of POCAMLA in that they were acquired using funds reasonably suspected to be proceeds of crime. It is averred through supporting and supplementary affidavits of Jackson Kimani an investigator with the applicant sworn 10th September 2024 and 19th December 2024 respectively that the respondent who is the registered and beneficial owner of the motor vehicles was involved and associated with dealing and trading in endangered wildlife specifically sandalwood.
 3. The genesis of the of investigations by the applicant was information received about arrest of motor vehicle registration number KCW 4X2H on 21st March 2022 at Kijabe area which was found to be carrying 10 sacks of pieces of wood suspected to be sandalwood weighing approximately 520 kilograms. Following the arrest of the said motor vehicle and investigations, the respondent was charged together with Joseph Nguro Kabiro and Agnes Nene Nasieku in Kahawa law courts with offence of dealing with endangered wildlife vide criminal case number E031 of 2022.
 4. The applicant avers that motor vehicle registration number KDG 0X4L was bought using a loan facility from NCBA Bank on 24-12-2021 and the alleged proceeds of crime used to repay the loan. The other motor vehicle registration number KDB 7X2N was bought from the interested party through an agreement dated 19th January 2021 and payment completed on 20-07-2022 with funds which were also proceeds of crime.
 5. Further investigations were carried out on the respondent's bank accounts numbers 1330XXX86915, 0430XXX010X and 5225XXXX17 held in Equity Bank Limited, Family Bank Limited and NCBA Bank Limited respectively through court warrants obtained in miscellaneous application number E028 of 2022. The applicant also investigated the respondent's Mpesa accounts for line numbers 071635XX45 and 07XX84734X.
 6. For account number 5225XXX017, the applicant states that the respondent obtained a loan of Kshs 2,491,407.00 from NCBA which he used to purchase motor vehicle registration number KDG 024L which money was disbursed to the respondent on 28-01-2022. According to the applicant, the analysis of this count shows that the same received suspicious deposits between 13th January 2022 and 11th April 2022 amounting to Kshs 349,500.00. The respondent is said to have used the funds accumulated through these suspicious deposits to pay the loan to the NCBA.
 7. The applicant avers further that account number 0430XXXX104 which is domiciled at Family Bank also received suspicious cash deposits totaling to Kshs 363,600.00 between 1-08-2017 and 27-09-2019 and Kshs 167,475.00 between 10-01-2019 and 7-11-2019. Part of these funds was then transferred to the respondent's mobile phone and the used to repay the loan to NCBA and another part was transferred to unknown individuals on 15 occasions between 13-10-2017 and 23-03-2019.
 8. The applicant also analysed account number 133017XXXX915 domiciled at Equity Bank Limited which showed that between 9-11-2017 and 31-03-2022, the respondent received Kshs 8,128,655.00 which mostly came from different individuals which he transferred to different individuals and companies including the interested party. Between 14-04-2020 and 20-02-2022, the respondent deposited money to the said account through his mobile phone to the tune of Kshs 5,329,555.00. The breakdown of a total of 263 deposits for the said period has been given at paragraph 21 of the applicant's supporting affidavit. Further analysis shows that the respondent also received deposits of



amounts below the reporting threshold in an attempt to evade detection between 5-05-2020 and 28-03-2022. The total of these deposits amount Kshs 2,368,000.00.

9. It is the applicant's argument that it also established that the respondent received Kshs 297,850.00 from one Beth Wambui who had been arrested, charged and convicted of the offence of dealing in endangered wildlife species in Kahawa criminal case number E046 of 2021 and her motor vehicle registration number KCT 645R forfeited to the stated. These funds were deposited between 25-11-2020 and 30-11-2021.
10. The applicant adds that a sum of Kshs 1,277,000.00 received in the above transactions was used to pay the purchase price for motor vehicle registration number KDB 762N to the interested party. These transfers have been summarised in paragraph 25 of the supporting affidavit which are shown to have been sent between 19-01-2021 and 2-02-2022.
11. It is further stated that the respondent has been disguising as a loader for Nyambuche transporters while he was actually in its terminals strategically as an agent of Agnes Nene Nasieku and David Mucheru Muigai to ensure safe transportation of sandalwood hence the large suspicious mobile deposits by persons who had been charged with offences of dealing in endangered wildlife and as such he has largely benefitted financially thereby tainting the money in his accounts and the assets acquired through the same.
12. The applicant has averred that the said Agnes Nasieku through her sister Josephine Nasieku sent to respondent a sum of Kshs 43,900.00 from her line number 0745259437 between 2-12-2021 and 28-02-2022. In addition to this, the applicant has through a diagram indicated that the respondent received and transacted through Mpesa and bank account deposits with Agnes Nasieku, Beth Wambui Waithira, David Mucheru, Josephine Nasieku, Richard Njoroge Ngaruiya and John Gachango which money ended up with the interested party.
13. In further investigations through warrants issued in milimani chief magistrate Misc. application number 1020 of 2024, the respondent's mpesa account number 0716355945 was found to have received funds transfers of Kshs 11,695,509.00 between 1-01-2021 and 6-10-2022 with Kshs 6,899,751.00 being cash transfers. It is also alleged that between 12-05-2021 and 17-03-2022, the respondent's mpesa account number 0716355945 received a sum of Kshs 466,900.00 from Austine Ndisi a director of Nyambuche transporters.
14. It is on the basis of the above that the applicant believes that the respondent is part of a network of people charged with offence of being possession of wildlife trophy including his co-accused in the Kahawa law courts case. The applicant states that it has successfully forfeited assets of the respondent's associates in this court's case numbers EE006 of 2023 and E016 of 2021 for being proceeds of crimes.
15. The respondent has repudiated the claims by the applicant through his replying affidavit sworn on 14th November 2024 and further affidavit sworn on 25th February 2025. In the affidavit, the respondent has explained that he accumulated his wealth in question through legitimate means by working as a shop attendant, a loader and a businessman in Nairobi. He has given explanation of his humble beginnings to the current status where he owns the motor vehicles sought to be forfeited.
16. He states that after he completed his high school studies in November 2014, he relocated to Nairobi for search of his fortunes where he secured a job as a shop attendant in a shoe shop along Moi Avenue earning Kshs 800 per day. He worked in this shop from December 2014 to August 2015 and secured another job as a loader for public service vehicles in what is commonly known as Machakos country bus stage where he would make between Kshs 1,000.00 and Kshs 4,000.00 per day depending on the



number of jobs he got which business he did until 2020 when covid-19 pandemic struck and affected transport business.

17. He adds that by 2020, he had saved enough to purchase two motor cycles at Kshs 109,000.00 each in January 2018 although he gives similar registration numbers for the two as KMEJ 3X2F. He deployed the two motor cycles to do transport business in Githurai which fetched him Kshs 1,000.00 per day. From the business of these two and his continued savings from the loading business, the respondent claims to have acquired a third motor cycle registration number KMEB 422A on 11-01-2020 and a fourth one registration number KMFE 320X on 13th July 2020 at Kshs 109,000.00. With the four motor cycles he would save Kshs 2,000.00 per day.
18. The respondent has averred that he would deposit the savings from the motor cycles business and the loading job in his family bank account in every five to fifteen days. He claims that these deposits are part of what the applicant claims to be suspicious deposits in the said account while the other part of the deposits were from the regular customers he had made at the bus station.
19. The respondent has further explained that he started working at Nyambuche transporters limited after the covid-19 pandemic. The transport company is owned by one Austine Ochieng Ndisi who is a prosecution witness against him in criminal case number E031 od 2022. According to the respondent, his working arrangements with the Nyambuche transporters limited was that of brokerage for business where he would solicit for business from different customers, obtain luggage and forward the same to Nyambuche transporters for onward transportation from Nairobi to western parts of the country. He claims that he wouldn't know what was in a luggage of a customer if it was sealed.
20. He admits that Beth Wambui, Waithira Agnes and Nene Nasieku were his regular customers like any other until March 2022 when the incidence of arrets arose but denies that he knowingly benefited from them as their business accomplices and swears that the three paid him for his honest work as transport broker.
21. About the account at Equity Bank, the respondent states that he opened it with a view of growing his credit status to enable him obtain a loan which is a normal thing for business people. He adds that the deposits the applicant is talking about were from known sources including his savings and customers who paid directly to his account. He also claims that some of the deposits were from friends who lent him for purposes of making the account active and which he would withdraw after a few days and refund in order to grow his credit profile. He urges that there is nothing criminal in this kind of arrangements as it is simply a display of business acumen.
22. The respondent has explained that John Gachango and Thomas Ochieng who are shown to have made deposits in the equity bank account were equity agents running kiosks and whenever he made a deposit in the agency kiosks, the credit would appear to be from them. He has also explained that Julias Ngiraotin is a shoe trader based in Kisumu who has been using for his services and that of Nyambuche transporters for transporting shoes from Nairobi to Kisumu and he was using Equity bank to pay for the services. Same explanation goes for deposits by David Njoroge Mwangi and Anthony Kinyanjui Mwangi who the respondent claims were moving shoes from Nairobi to Kapsabet.
23. He admits having received money through his mobile number 0716355945 from Beth Wambui and adds that the same was payment for transport services which he would send to his bank account after every two or four days. He also admits that he bought motor vehicle KDB 762N from the interested party on 19th January 2021 and adds that part of the money he used to purchase it was a loan from his sister one Caroline Wamgui Wambui which she had remitted to him through Mpesa four days prior to 15th January 2021. This was Kshs 250,000.00 which he deposited to his Equity account in



two occasions. The other portion of the purchase price came from was his savings and the aforesaid businesses.

24. He claims to have disposed of two motor cycles in order to purchase the motor vehicle KDB 762N at a cost of Kshs 1,477,000.00. He claims to have used the vehicle for business in order to offset debts owed to the interested party in respect of the vehicle. He states further that he purchased KDG 024L through a loan from NBCA Bank and claims that his connections with the alleged sandalwood dealers was a pure coincidence and avers not to have had an idea of what the dealers were doing.
25. The hearing of this matter proceeded by way of written submissions. I have carefully read submissions of the applicant dated 19th December 2024 and those of the respondent dated 25th February 2025 and I have considered the authorities cited by the parties. From the affidavits and submissions of the parties, this court discerns that there is no dispute that the motor vehicles sought to be forfeited are owned by the respondent although one of them is still registered in the name of the interested party. The only dispute is whether the money used to acquire the said vehicles was proceeds of crime. I believe the issues calling for determination in this matter are as follows;
 - a. Whether the applicant has discharged its legal burden of proof.
 - b. Whether the respondent has discharged his evidential burden of proof.
 - c. Whether the motor vehicles should be forfeited to the government.
26. In matters of forfeiture like this one, the applicant must establish a prima facie case in that it must prove on a balance of probabilities that the funds in question are proceeds of crime. This is the legal burden of proof which remains with the applicant and never shifts. The applicant will be said to discharge this burden if it gives reasons to make the court believe on a balance of probabilities that the respondent's assets were acquired using funds generated from criminal activities. In *Assets Recovery Agency v Akinyi* (2022) KEHC 10116 (KLR) it was held that;

‘The Applicant therefore bears the legal burden to prove its case against the respondent on a balance of probabilities. Once the legal burden is discharged the evidential burden shifts to the respondent to prove that the assets were acquired legally or lawfully as this would be a fact(s) within their special knowledge. It is instructive that the evidential burden does not shift to the respondent unless and until the applicant has discharged the legal burden.’
27. The applicant has placed evidence before the court that the loan used to buy motor vehicle registration number KDG 024L was purchased during the period in question, that is around 28th January 2022 which the respondent has admitted. The period under investigation was between 1-08-2017 and 30-03-2022. Going by the evidence reproduced above and the documents produced by the applicant, the respondent has in my view been linked to persons who have been charged with and convicted of dealing in endangered wildlife and their properties forfeited to the state.
28. The respondent does not deny transacting with Beth Wambui and other persons named and found to have traded in sandalwood. His only explanation is that his dealing with the said people was innocent and coincidental. He maintains that he was not an accomplice to the criminal activities neither had he met them at a personal level. In my analysis, the said persons were not normal customers to the respondent noting that the respondent did not own any transport company or vehicle and he was receiving money directly from the alleged customers whereas he claimed to be just a broker. It has not escaped this court's attention that the respondent has been charged with dealing with sandalwood in Kahawa law courts criminal case number E031 of 2022 together with Joseph Nguro Kabiro and Agnes



Nene Nasieku. Of more relevance is that this criminal case involves the luggage the respondent has admitted to have personally handled and booked for transportation.

29. The applicant has demonstrated that the respondent communicated and transacted with the persons charged with the aforesaid criminal offence. There are also deposits into the respondent's bank accounts which calls for explanation and the respondent has not convinced me that the jobs he claims to have been doing in accumulation of the funds were capable of generating the kind of income shown in the said deposits. The includes the deposits made by John Gachango, Thomas Ochieng, Julius Ngiraotin, David Njoroge Mwangi and Anthony Kinyanjui Mwangi.

30. In view of the foregoing, I find that the applicant has established on balance of probabilities that the respondent could have been involved in the stated criminal activities to which the funds in question can be traced. These funds were admittedly used to purchase the assets the applicant seeks to forfeit. In the circumstances, I hold that the applicant has discharged its legal burden of proof and the respondent must be called upon to satisfactorily rebut the evidence of the applicant by showing that the funds were from legitimate sources. This position was restated in *Assets Recovery Agency v Ali Abdi Ibrahim* (2022) KEHC 1906 (KLR) thus;

‘Once the Applicant establishes, on a balance of probabilities as provided in Section 92(1) (b) of the *Proceeds of Crime and Anti-Money Laundering Act* that the assets in question are proceeds of crime, a duty is cast on the respondent to prove that he obtained the funds lawfully. The respondent is required to give a satisfactory explanation that he legitimately acquired the assets in question failing which the said assets shall be declared to have been illegally acquired.’

31. I now turn to the second issue of whether the respondent has discharged his evidential burden of proof. In case of civil forfeitures under POCAMLA, a respondent is said to have discharged his evidential burden of proof if he provides evidence to the satisfaction of the court that the property sought to be forfeited was acquired through legitimate and lawful means and was not tainted with or entangled in criminal activities. The respondent must establish and show the court the kind of business or engagements that generated or led to the acquisition of the property. In the case before me, the respondent must not only convince me that his loading business was the true source of the funds he used to purchase the two motor vehicles but also that his association with the persons charged and convicted of the offences of dealing with the wildlife trophy was not deliberate and did not contribute to the acquisition of the vehicles.

32. The respondent has explained that his first job after completing high school studies was as a shoe shop attendant along Moi avenue in Nairobi before he ventured into loading jobs at Machakos country bus station. He claims that he used to earn Kshs 800 shillings per day while working at the said shop and between Kshs 1,000.00 and 4,000.00 in the loading job. He states that the savings from the shop and the loading job are what he deposited in his family bank account. I note that the respondent does not disclose which shop was this and who was his employer.

33. The applicant's annexure JK11 is the respondent's Family Bank account statement in which he claims to have deposited the above savings. The statement shows that the said account was opened on 01-08-2017 with the first deposit of 24,950.00 made on 26-08-2017. He does not tell this court how much he saved from these earnings after making provisions for his normal expenses. If we were to assume the impossible of saving all the earnings from the shop and the loading jobs, a simple calculation would show that the respondent had saved not less than Kshs 2,000,000.00 by the time he opened the account at Family Bank. If indeed the applicant had been saving for the two and half years, he should have exhibited statements of these savings. He wants the court to believe that he was saving and keeping



the money at home and even when he opened the said account, he did not deposit all or substantial part of it.

34. The respondent claims that he bought his first two motor cycles in January 2018 at cost of Kshs 218,000.00. A look at the statement of the family bank account shows that, by close of the year 2017, the said account had Kshs 50,030.00 and on 8-01-2018, he deposited cash of Kshs 120,000.00 bringing credit balance to Kshs 170,030.90. In that month, he withdrew Kshs 110,000.00 on 8-01-2018 and Kshs 83,000.00 on 24-01-2018. If we were to believe him, the motor cycles were not fully financed by these withdrawals meaning that there were other sources of income.
35. The respondent has averred that, he later bought two other motor cycles which would fetch him a combined income of Kshs 2,000.00 per day which he would deposit after every four days. Again, he does not tell the court how much he saved from the net income after his personal expenses. According to the statement, there were no deposits between 24th January 2018 and December 2018. Deposits resumed on 11-12-2018. Whereas there is nothing wrong with one failing to deposit money in their bank account, the lack of deposit during this period followed by sudden deposits in the month of December negates the explanation given by the respondent.
36. In addition to the above inconsistencies, the respondent has not proved that he owned the four motor cycles. First the registration number of the fourth motor cycle has not been disclosed. He has only mentioned KMEJ 3X2F, KMEB 4X2A and KMFE 3X0X. None of these is registered to the respondent. There is no proof that these motor cycles ever belonged to him. When he was challenged on ownership of the motor cycles due to lack of documents, the respondent in his further affidavit averred that they were registered to the dealers who failed to transfer ownership of the same for reasons he has not given.
37. The respondent made an attempt to prove ownership of the motor cycles by annexing receipts allegedly issued by the dealers for the purchase of the motor cycles and an insurance cover certificate for KMEJ 352F for the period running from 24-01-2018 to 24-07-2018. An insurance cover is not a proof of ownership though it may show that the insured had insurable interest in the vehicle and with corroborative evidence establish beneficial ownership therein. In any event the respondent has not told the court why he had the certificate for that period only and whether he continued to have interest in the same for the rest of the period of interest in this matter. He has also not exhibited similar cover for the other two motor cycles. There is also no proof that the respondent possessed public service licences in respect of the motor cycles which would allow him run the business he alleges to have been running. In view of this, this court doubts that the respondent had such a business capable of generating the income in question.
38. The respondent has claimed that he started working with Nyambuche transporters in 2020 but not as an employee. He has attached witness statements by one Austine Ndisi the director of the said company and Carol Mwendu an employee of the said company. According to these statements the company relied on the respondent as one of his business brokers. It is notable from the statements especially the one by Carol which the respondents vouch for truth that the luggage, which was impounded in Limuru containing sandalwood and culminated to arraignment of the respondent, was handled by and loaded under instructions of the respondent. The respondent does not in his replying affidavit explain how and from who he sourced the luggage in which case he must be held responsible for it. This gap places the respondent squarely in the web and chain of the dealers.
39. On the money deposited in Equity bank account, the respondent claims that it was so deposited for purposes of growing his credit profile and that the deposits shown there were loans from unnamed business friends. This account runs from 9-11-2019 although the respondent claims to have opened it



in early 2020. The account opened with Kshs 1,000.00. The respondent's casual explanation about the savings and money from his undisclosed customers are not convincing. It appears to this court that the only customers the respondent is willing to disclose are those mentioned in the supporting affidavit of the applicant.

40. The respondent has also claimed that much of the deposit in bank and mpesa accounts were his genuine customers for his business job as broker for transport. It beats logic why these customers would opt to pay directly to him yet he did not own any transport company or vehicle at the time. The respondent also argues that these customers paid directly to him and in turn, he would pay Nyambuche transporters what was due to it and keep his profits. He has however not shown any evidence of his payment to Nyambuche transporters. Instead, there is evidence that Nyambuche transporters paid the respondent a sum of Kshs 466,900.00 between 15-05-2021 and 17-03-2022 which this court interprets as payment for the work he brought to the company. I am not convinced that the principal can pay a broker who was also receiving money from the same customers.
41. About the deposits by John Gachango and Thomas Ochieng, the respondent has argued that the same were deposits made in Equity bank kiosks owned by the said persons and once the deposits were made, the system showed them as having been made by the two individuals. In essence, the respondent is saying that he had no business with the two. It is notable that the point of concern is the source of the funds and in that case the respondent was duty bound to explain where and for what reason he got the funds from before he approached the equity agents to deposit. Further, there is no evidence to show that the two were equity bank agents which in my view was an easy thing to do if it were true.
42. I have observed that John Gachango deposited 26 times over a period of about one and half years which translates to less than two times per month while Thomas made 10 deposits over a period of ten months which translates to once a month which to me is not unusual. If the respondent had explained the source of the funds or was not connected to the stated criminal activity, I would have had no hesitation in accepting the explanation.
43. The respondent has stated in paragraph 43 of his replying affidavit that part of the purchase price for motor vehicle KDB 7X2N was from a loan of Kshs 250,000.00 advanced to him by his sister one Caroline Wangui Wambui. True, the statement attached as the respondent's annexure MMN-7 shows that the said Caroline sent Kshs 250,000.00 to the respondent on 15-01-2021. When we come to his further affidavit, the respondent at paragraph 5 avers that the money received from Caroline was used to buy the aforesaid motor cycles. The mpesa statement produced in the further affidavit has only one transaction from Caroline Wambui of Kshs 18,000.00 done on 11-01-2020.
44. The other part of the purchase price for KDB 7X2N is said have come from the respondent's savings from his job as loader and motor cycle business and disposal of two of his motor cycles. The respondent has not produced any evidence of the sale of the motor cycles either by way of deposits or agreements. He does not state how much the two motor cycles fetched although ordinarily they could not fetch more than the prices, they were bought at meaning that they could only fetch a maximum of Kshs 218,000.00 which is unlikely.
45. Flowing from above and giving the benefit of doubt that the Kshs 250,000.00 from Caroline Wangui Wambui was legitimate, and noting that this vehicle was bought at Kshs 1,477,000.00 I find the funds for purchasing this vehicle not to have been satisfactorily explained. The respondent claims to have paid Kshs 650,000.00 from Family bank account which I have already found to have been holding unexplained funds. Where a person taints, entangles or intermingles his seemingly clean money with tainted funds, he risks having the clean part collapsed into the hole of the dirty assets and therefore liable to forfeiture.



46. The last explanation involves funds deposited by Julius Ngiraotin, David Njoroge Mwangi and Anthony Kinyanjui Mwangi. The respondent explains that these are his courier services customers who deal in shoes in Kisumu and Kapsabet who use services of Nyambuche transporters limited through him. As I have held elsewhere above, this court declines to believe that such customers would pay someone who has no transport business. Again, the respondent did not even exhibit a single manifest or receipt for any of the occasions he claims to have sent the luggage to the said persons. I find this explanation wanting and decline to accept it.
47. In view of the above analysis, I find that the respondent has failed to discharge his evidential burden of proof and consequently the applicant has proved its case on a balance of probabilities and I proceed to make the following orders;
- a. A declaration is hereby issued that motor vehicle registration number KDG 0X4L Chassis number ACVRRJRXXK40XXX63 Van/Pickup registered in the name of the respondent and motor vehicle registration number KDB 7X2N Toyota fielder Chassis number NKE1657XXX109 registered in the name of the interested party are proceeds of crime liable to forfeiture.
 - b. Motor vehicle registration number KDG 0X4L Chassis number ACVRRJRXXK4XXX9963 Van/Pickup registered in the name of the respondent and motor vehicle registration number KDB 7X2N Toyota fielder Chassis number NKE1657XXX109 are hereby forfeited to the Assets Recovery Agency on behalf of the Government.
 - c. The Director, National Transport and Safety Authority (NTSA) is ordered and directed to transfer ownership of the motor vehicles registration number KDG 0X4L Chassis number ACVRRJRXXK40XXX63 Van/Pickup registered in the name of the respondent and motor vehicle registration number KDB 7X2N Toyota fielder Chassis number NKE1657XXX109 to the applicant.
 - d. There shall be no orders as to costs.

DATED SIGNED AND DELIVERED AT NAIROBI THIS 2ND DAY OF MAY 2025.

B.M. MUSYOKI

JUDGE OF THE HIGH COURT.

