



Kibor v Republic (Miscellaneous Criminal Application E020 of 2024) [2025] KEHC 10255 (KLR) (16 July 2025) (Ruling)

Neutral citation: [2025] KEHC 10255 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
MISCELLANEOUS CRIMINAL APPLICATION E020 OF 2024**

RPV WENDO, J

JULY 16, 2025

BETWEEN

STEPHEN KIBOR APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant, Stephen Kibor, was convicted of the Offence of Attempted murder contrary to section 220 of the Penal Code. He was sentenced to serve fourteen (14) years imprisonment. He appealed to this court in CRA. 12 of 2017 and the same was heard by Judge. Githinji who dismissed the appeal on 7/3/2018.
2. Not deterred, the applicant again approached this court vide Misc. CRA. E022 of 2022 seeking to have the sentence reduced but the same was declined by Judge Mrima on 22/11/2022. The applicant is again before this court with another Miscellaneous Criminal Application seeking to be released on non-custodial sentence.
3. The application was opposed by the Respondent for reasons that the same is an abuse of the court process since a similar application was dismissed on 22/11/2022.
4. This application is an abuse of the court process. Having been heard by this court on appeal, if the Applicant still feels aggrieved, his recourse is to the Court of Appeal. He cannot keep coming to the same court for redress. The application is dismissed and file closed.

DELIVERED, DATED AND SIGNED AT KAPENGURIA THIS 16TH DAY OF JULY, 2025.

R. WENDO.

JUDGE.

Judgment delivered in open court (virtual) in the presence of:



Mr. Suter for the State

Accused - Present (virtual)

Juma/ Hellen - Court Assistant.

