



REPUBLIC OF KENYA



Omweri v Director of Public Prosecution & 2 others (Criminal Miscellaneous Application E013 of 2025) [2025] KEHC 11268 (KLR) (16 July 2025) (Ruling)

Neutral citation: [2025] KEHC 11268 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIVASHA
CRIMINAL MISCELLANEOUS APPLICATION E013 OF 2025**

GL NZIOKA, J

JULY 16, 2025

BETWEEN

JAMES ONYANCHA OMWERI APPLICANT

AND

DIRECTOR OF PUBLIC PROSECUTION 1ST RESPONDENT

DIRECTOR OF CRIMINAL INVESTIGATIONS 2ND RESPONDENT

OCS NAROK POLICE STATION 3RD RESPONDENT

RULING

1. The notice of motion application dated 30th May 2025 herein refers. The same is considered in the light of the materials in particular the grounds thereto, the affidavit in support and the annexures to the affidavit.
2. The replying affidavit sworn by both No. 241343 IP Patrick Wachira and Shirley Chepkonga the learned State counsel in response to the application refers.
3. Notably the respondent is not opposed to the release of the subject vehicle on condition that, as long as the case is on-going, it be availed as and when required. Further that it should be insured throughout the relevant period and not be transferred to any other third party.
4. In my considered the subject conditions are reasonable. I therefore allow the application as prayed for in terms of prayer (b). The costs be in the cause.

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

GRACE L. NZIOKA

JUDGE

In the presence of:



Mr. Gichuki for the Applicant

Ms Chepkonga for the Respondent

Ms Hannah –Court assistant

