



**Kipchirchir v Republic (Miscellaneous Criminal Application
61 of 2016) [2024] KEHC 4 (KLR) (11 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 4 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
MISCELLANEOUS CRIMINAL APPLICATION 61 OF 2016
RN NYAKUNDI, J
JANUARY 11, 2024**

BETWEEN

ELIUD KIPCHIRCHIR APPLICANT

AND

REPUBLIC RESPONDENT

RULING

Coram: Before Justice R. Nyakundi

Mr. Mugun for the State

1. The petitioner on May 20, 2016 filed Chamber Summons on May 20, 2016 allegedly raising grievances on non-availability of the trial record to capacitate him to file an appeal on conviction and sentence arising out of Cr. Case No. 278/2010. The court directed the Deputy Registrar to avail the original record to facilitate considerations of the issues raised in the chamber summons. In absence of the record, it is noted the court has no opportunity to second guess the trial court impugned judgement.
2. In light of the above, the Misc. File No. 61 of 2016 be marked as formally closed.

DATED, SIGNED AND DELIVERED AT ELDORET THIS 11TH DAY OF JANUARY 2024.

R. NYAKUNDI

JUDGE

