



**Agency Director, Assets Recovery Agency v Wanjiru & 2 others  
(Miscellaneous Application E050 of 2024) [2024] KEHC 16723 (KLR)  
(Anti-Corruption and Economic Crimes) (18 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 16723 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
ANTI-CORRUPTION AND ECONOMIC CRIMES  
MISCELLANEOUS APPLICATION E050 OF 2024**

**BM MUSYOKI, J  
OCTOBER 18, 2024**

**BETWEEN**

**THE AGENCY DIRECTOR, ASSETS RECOVERY AGENCY ..... APPLICANT**

**AND**

**CECILIA NYATHIRA WANJIRU ..... 1<sup>ST</sup> RESPONDENT**

**MOHAMMED JUMA GUYO ..... 2<sup>ND</sup> RESPONDENT**

**ROBA HASSAN BORU ABDINUR ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. I have gone through the application dated 15/10/2024 and supporting affidavit of Mohamed Hussein sworn on 15/10/2024 and annexures thereto. I am satisfied that the application is urgent and shall be heard forthwith.
2. It is claimed that respondents have reasonably been suspected to be involved in drug trafficking contrary to Section 4(a)(ii) of the *Narcotics Drugs and Psychotropic Substances (Control) Act*, number 4 of 1994. The motor vehicles listed in the application and which are sought to be preserved are subject to forfeiture to the state in the event the respondents are convicted or it is otherwise proved to the satisfaction of the court that they are proceeds of crime or the respondents cannot explain their source.
3. I also note that the law allows issuance of orders ex parte. In the circumstances, I am satisfied that the application dated 15/10/2024 is merited and it is hereby allowed in terms of prayers 2, 3, 4, and 5 thereof. I make no orders as to costs.



4. The orders shall subsist for a period of 90 days from the date of their gazettelement as per Section 84 as read together with Section 83 (i) of the *Proceeds of Crime and Anti- Money Laundering Act* Chapter 59 A of the Laws of Kenya.

Orders accordingly.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 18<sup>TH</sup> DAY OF OCTOBER 2024.**

**B.M. MUSYOKI**

**JUDGE OF THE HIGH COURT OF KENYA**

