



**Anyumba v Republic (Miscellaneous Criminal Application  
E035 of 2022) [2023] KEHC 3425 (KLR) (13 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3425 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E035 OF 2022**

**RE ABURILI, J  
APRIL 13, 2023**

**BETWEEN**

**FREDRICK AKETCH ANYUMBA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant/Convict herein is Fredrick Aketch Anyumba. He was convicted of the offence of Robbery with violence vide Winam Senior Principal Magistrate's Court Criminal Case No. 807 of 2019 on June 10, 2020 as per the warrant of commitment to prison attached.
2. He was sentenced to serve ten (10) years imprisonment. He now applies that the period of nine (9) months spent in custody be calculated and considered.
3. The Convict does not say when he was arrested and neither did he annex copies of proceedings to his application for consideration by this court.
4. I find this application not supported. It is hereby dismissed.
5. The Applicant can however apply afresh, attaching court proceedings for reconsideration of his application under Section 333(2) of the *Criminal Procedure Code*. This file is hereby closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 13<sup>TH</sup> DAY OF APRIL, 2023**

**R. E. ABURILI**

**JUDGE**

