



**Otieno v Republic (Miscellaneous Criminal Application  
E034 of 2023) [2023] KEHC 19004 (KLR) (19 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19004 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E034 OF 2023**

**RE ABURILI, J**

**JUNE 19, 2023**

**BETWEEN**

**REAGAN OCHIENG OTIENO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file and the prayers sought are the same as those sought and already granted in Misc Criminal Application No E025 of 2023, seeking leave to appeal out of time from the conviction and sentence in Tamu Principal Magistrate's Criminal Sexual Offences No E019 of 2022.
2. As this court has already granted the Applicant leave to appeal out of time, in the other file, and this file is found to be a duplicate of HC Misc. Criminal Application No E025 of 2023, this application is struck out for duplicity and this file is hereby closed.
3. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF JUNE, 2023**

**R. E. ABURILI**

**JUDGE**

