



**Wamunga v Republic (Criminal Miscellaneous Application
E114 of 2024) [2024] KEHC 12815 (KLR) (24 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12815 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CRIMINAL MISCELLANEOUS APPLICATION E114 OF 2024
DO CHEPKWONY, J
OCTOBER 24, 2024**

BETWEEN

TITUS WEKESA WAMUNGA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The matter is for hearing of the Notice of Motion application dated 10th September, 2024, in which the Applicant is seeking to be allowed to file an appeal out of time, since he was a pauper and was unable to raise the required fee on time. The same is supported by the grounds cited on its face and Supporting Affidavit sworn by the Applicant. The Respondent is not opposed to the prayer being sought.
2. Therefore, the Notice of Motion application dated 10th September, 2024 be and is hereby allowed in the following terms:-
 - a. The Applicant, Titus Wekesa Wamunga is hereby granted leave to file an Appeal out of time.
 - b. The Applicant to file and serve the Appeal within 14 days from the date hereof.
 - c. Mention on 18th November, 2024 for parties to confirm appeal filed and take directions.
 - d. The Deputy Registrar to call for and avail Kiambu Cr. Case No.S.O.E014 of 2022, Republic –vs- Titus Wekesa Wamunga.
 - e. Production Order to issue for Applicant.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 24TH DAY OF
OCTOBER , 2024.**

D. O. CHEPKWONY



JUDGE

In the presence of:-

a counsel for Respondent

Applicant in person – present

M/S Nded

Court Assistant - Martin

