



**Misoga v Director of Public Prosecution & 2 others (Petition E002 of 2024) [2024] KEHC 15193 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15193 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA**

**PETITION E002 OF 2024**

**DR KAVEDZA, J**

**DECEMBER 2, 2024**

**BETWEEN**

**JAMES MISOGA ..... PETITIONER**

**AND**

**DIRECTOR OF PUBLIC PROSECUTION ..... 1<sup>ST</sup> RESPONDENT**

**DIRECTORATE OF CRIMINAL INVESTIGATIONS ..... 2<sup>ND</sup> RESPONDENT**

**THE HON. ATTORNEY GENERAL ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. The applicants filed a petition received on 18<sup>th</sup> June 2024 seeking an order barring the respondents from further prosecuting the cases instituted against the petitioner Criminal Case no 258 of 2021 and Criminal Case 310 of 2022 at the Magistrate’s Court at Kibera. The matter come for directions on 18<sup>th</sup> June 2024 where the petitioner was ordered to serve his application to the respondent, and that the respondent should file a response to the same.
2. When the matter came up for hearing on 2<sup>nd</sup> December 2024, the petitioner was absent and did not prosecute his petition.
3. Consequently, the petition is dismissed for want of prosecution.

Orders accordingly.

**RULING DATED AND DELIVERED THIS 2<sup>ND</sup> DAY OF DECEMBER 2024**

.....

**D. KAVEDZA**

**JUDGE**

