REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. E102 'B' OF 2021

CORAM: HON. R.E. ABURILI, J

IN THE MATTER OF ARTICLE 50 OF THE CONSTITUTION

IN THE MATTER OF THE WITNESS PROTECTION ACT

IN THE MATTER OF THE WITNESS PROTECTION RULES, 2015

AND

IN THE MATTER OF THE APPLICATION FOR ORDERS FOR WITNESS PROTECTION

REPUBLIC.....APPLICANT

RULING

1. I have considered the Application dated 6th October 2021 and filed on 7/10/2021 under Certificate of urgency. The application is brought by the Witness Protection Agency seeking protection of a key witness in Siaya Cr. Case No. 633/84/2021 CF No. MCCR/E487/2021.

2. I am satisfied that the application is urgent and ought to be determined expeditiously. I certify it as urgent.

3. On the merits thereof, I have perused the orders sought, grounds and affidavit in support. I am satisfied that the application has merit as the key witness has been assessed and is said to be in danger and at risk of being eliminated unless protection orders are granted.

4. I grant prayer Nos 2, 3 and 4 of the Chamber summons dated 6/10/2021 as prayed and order that the protected witness shall testify in camera or closed court session. In addition, the said protected witness shall use a pseudonym during the hearing of evidence in court. The said protected witness shall use a protection box during the taking of evidence in court.

5. Orders accordingly. This file is closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 13TH DAY OF OCTOBER, 2021

R.E. ABURILI

JUDGE