



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**MISCELLANEOUS CRIMINAL APPLICATION NO. EO17 OF 2020**

**CALEB OCHOLA NYAINDA.....APPLICANT**

**VERSUS**

**STATE.....RESPONDENT**

**(Being an application for leave to appeal out of time from Bondo PM's Court Criminal Case No. 196 of 2020)**

**RULING**

1. I have considered the application filed on 2.12.2020 for leave to appeal out of time from original Bondo P.M. Cr. 196/2020.
2. I have considered the reasons for delay during this Covid-19 pandemic and I find them reasonable and acceptably persuasive.
3. No prejudice will occasioned to the Respondent if the leave sought is granted.
4. I grant the applicant leave to file appeal out of time.
5. The Petition of appeal to be filed in a separate appeal file within 14 days of today.
6. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 3<sup>RD</sup> DAY OF DECEMBER, 2020**

**R.E. ABURILI**

**JUDGE**