

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT BUNGOMA**  
**MISC. CRIMINAL APPLICATION NO. E033 OF 2025**

**BENARD ODUOR MIYANI.....**  
**APPLICANT**

**VERSUS**

**REPUBLIC .....**  
**RESPONDENT**

**RULING**

1. Whereas the Applicant has in his prayers craved to be placed under Community Service Order, his supporting affidavit seems to have been filed in support of an application for leave to lodge an appeal out of time.
2. Due to the apparent confusion in his pleadings this application is found to be of no merit and is hereby dismissed.
3. This file is hereby marked as closed.
4. The lower court file to be returned to the lower court.

**Delivered, signed and dated at Bungoma this 14<sup>th</sup> day of October, 2025.**

**MWANAISHA S. SHARIFF**  
**JUDGE**

