

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KISUMU
CRIMINAL DIVISION
CRIMINAL MISC. APPLICATION NO. E184 OF 2025

BYRON OTIENO OLUOCH APPLICANT

- VERSUS -

REPUBLIC RESPONDENT

R U L I N G

1. On 5/8/2025, the applicant was convicted of the offence of defilement contrary to *section 8(1) as read with section 8(3) of the Sexual Offences Act*. He was sentenced to 20 years' imprisonment.
2. On 22/8/2025, he applied for leave to file an appeal out of time. I have considered that the delay was for only a few days. Further, the sentence is severe and the State is not opposed to the extension of time sought.
3. In view thereof, I allow the application dated 22/8/2025. The applicant is granted leave to file a Petition of Appeal within 30 days of today.
4. This file is hereby marked as closed.

It is so ordered.

DATED and DELIVERED at Kisumu this 31st day of **October, 2025.**

A. MABEYA, FCI Arb

JUDGE