

**IN THE COURT OF
APPEAL AT
KISUMU**

(CORAM: KIMARU, JA (IN CHAMBERS))

CRIMINAL APPLICATION NO. E072 OF

2024 BETWEEN

**PETER KERONGO KERONGO *alias* MASESE.....APPLICANT
AND REPUBLIC**

.....
RESPONDENT

(Being an Application for extension of time to lodge the notice of appeal out of time from the Judgment of the High Court of Kenya at Kisii (R. Ougo, J) dated 11th July, 2023

in

HCCRA No. 26 if 2020)

RULING

1. **Peter Kerongo *alias* Masese**, the applicant herein was charged, tried and convicted of murder contrary to **section 203** as read with **section 204** of the **Penal Code**. He was sentenced to serve twenty five (25) years imprisonment on 11th July, 2023 by the High Court sitting at Kisii. The applicant wishes to appeal against the said decision to this Court. He has filed the present application essentially under **Rule 4** of

the **Court of Appeal Rules**, seeking to be granted
extension of time to lodge the

appeal out of time. The application is not opposed by the Director of Public Prosecution. **Ms. Victorine Kitoto**, a Prosecution Counsel in the Office of the Director of Public Prosecution swore a replying affidavit indicating her decision not to oppose the application.

2. In the premises therefore, the application has merit and is hereby allowed. The applicant is granted leave to lodge the notice of appeal out of time. The said notice of appeal shall be filed and served within **fourteen (14) days** of today's date.

Dated and delivered at Kisumu this 20th day of November, 2025.

L. KIMARU

.....
. JUDGE OF APPEAL

I certify that this is a true copy of original.

DEPUTY REGISTRAR.