

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT VOI

MISC. CRIMINAL APPLICATION NO. E039 OF 2025

ALFRED MAGANGA KOLE.....

APPLICANT

=VERSUS=

REPUBLIC.....

RESPONDENT

RULING

1. The application dated 25th November 2025 was seeking to stop proceedings in Wundanyi Sexual Offence Case No. E005 of 2023 where the defence Counsel is alleging that the prosecutor was tampering with witnesses.
2. The Ruling has already been delivered and that application has already been overtaken.
3. If the defence Counsel is seeking to stop the case from proceeding to defence hearing he is at liberty to file a fresh application which the court will consider on its own merit.
4. The application to amend the application is rejected since the orders sought have been overtaken.

Dated, signed and delivered this 2nd day of December 2025 in open court at Voi High Court.

**ASENATH ONGERI
JUDGE**

In the presence of:-

Court Assistant: Mabishi/Millicent

State Counsel: Mr. Ngigi

Mr. Mwzighe for the Applicant

ORIGINAL