



REPUBLIC OF KENYA



KENYA LAW
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**Obanda v Republic (Criminal Appeal E031 of 2025)
[2026] KEHC 1666 (KLR) (17 February 2026) (Ruling)**

Neutral citation: [2026] KEHC 1666 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
CRIMINAL APPEAL E031 OF 2025
WM MUSYOKA, J
FEBRUARY 17, 2026**

BETWEEN

GILBERT OBANDA APPELLANT

AND

REPUBLIC RESPONDENT

*(Appeal from the judgment of Hon. RO Odenyo, Senior Principal Magistrate,
SPM, in Busia CMCSOA Case No. 107 of 2019, delivered on 10th June 2025)*

RULING

1. The original trial records have not been availed, and the record of appeal has not been filed.
2. I am unable to write the judgment, in the appeal, in the circumstances.
3. Let the Deputy Registrar call for the original trial court records, and allocate a date for mention of the matter, before me.

**DELIVERED, DATED AND SIGNED IN OPEN COURT, AT BUSIA, THIS 17TH DAY OF
FEBRUARY 2026.**

W MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Mwangi, instructed by Bedan Njeri & Company, Advocates for the appellant.

Mr. Onanda, instructed by the Director of Public Prosecutions, for the respondent.

