



REPUBLIC OF KENYA



**Araka v Republic (Criminal Revision E021 of 2026)
[2026] KEHC 4737 (KLR) (9 April 2026) (Ruling)**

Neutral citation: [2026] KEHC 4737 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E021 OF 2026**

DR KAVEDZA, J

APRIL 9, 2026

BETWEEN

FRANK MASANTI ARAKA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant has filed the present application dated 28th January 2026 seeking sentence review. The ground advanced in support of the application is that the trial court allegedly failed to take into account the period spent in remand custody prior to conviction and sentence.
2. The record, however, demonstrates that the applicant had previously moved this Court by way of a similar application seeking identical relief founded on the same grounds. That earlier application was heard and determined, and a ruling was duly delivered on 29th July 2025.
3. In the circumstances, the present application is plainly repetitive and amounts to an abuse of the court process, the issue having already been conclusively determined by a court of competent jurisdiction. The applicant cannot be permitted to relitigate a matter already adjudicated upon merely by filing a fresh application couched in similar terms.
4. Accordingly, the present application is declined, and the applicant is directed to abide by the ruling delivered on 29th July 2025.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 9TH APRIL 2026

D. KAVEDZA

JUDGE

