



**Aliong'o v Republic (Miscellaneous Criminal Application
E048 of 2026) [2026] KEHC 5181 (KLR) (20 April 2026) (Ruling)**

Neutral citation: [2026] KEHC 5181 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E048 OF 2026**

DR KAVEDZA, J

APRIL 20, 2026

BETWEEN

FREDRICK LUYO ALIONG'O APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicants have moved this Honourable Court by way of Notice of Motion dated 30th March 2026 pursuant to Articles 25, 50 and 165 of *the Constitution* of Kenya, 2010, Sections 362, 364 of the Criminal Procedure Code, and all other enabling provisions of the law.
2. The Applicants seek revision of the orders of the trial court issuing a warrant of arrest against the applicant and dismissing an application to lift the warrants.
3. Upon consideration of the application and the annexures thereto, the Court is required, at this preliminary stage, to assess whether the Applicants would suffer prejudice if the orders sought are not granted. The Court is satisfied that granting interim relief is necessary to prevent irreparable harm.
4. In view of the foregoing, I hereby make the following orders:
 - i. The orders of the trial court issued detaining the applicant are hereby set aside pending the hearing and determination of this application.
 - ii. There shall be a stay of proceedings before the trial court pending the hearing and determination of this application.
 - iii. The Applicants are directed to serve the Respondents with the order of this court, application and supporting documents within three (3) days from the date hereof.



- iv. Upon service, the Respondents shall file and serve their response within seven (7) days from the date of service.
- v. The Applicants may file and serve a rejoinder, if any, within seven (7) days thereafter.
- vi. The Deputy Registrar is directed to avail the original trial court and Miscellaneous application file in skeleton within 14 days from the date hereof.
- vii. The application shall be heard virtually on 19th May 2025

Orders accordingly.

DIRECTIONS DATED AND DELIVERED VIRTUALLY THIS 20TH DAY OF APRIL 2026

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D. KAVEDZA

JUDGE

