

**IN THE COURT OF APPEAL  
AT NAKURU**

**CORAM: MATIVO, JA (IN CHAMBERS)**

**CRIMINAL APPLICATION NO. NAK. E004 OF  
2026 BETWEEN**

**ANTHONY NDICHU NJAU.....APPLICANT  
AND**

**REPUBLIC.....RESPONDENT**

*(Being an application for extension of time against the conviction and sentence of the High Court of Kenya at Nakuru (Meoli, J.) dated 5<sup>th</sup> October 2017*

*in*

***CRA No. 14 of 2016).***

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**RULING**

1. By an order dated 26<sup>th</sup> November 2024, this Court (*Warsame, Mativo & Gachoka JJA*) noted that the applicant was yet to file his appeal and directed that his application for extension of time be listed for hearing. The applicant is now before me vide an application dated 8<sup>th</sup> January 2026 in which he seeks extension of time to file his appeal out of time. His grounds are that he tried to appeal several times without success.
2. The respondent in its submissions dated 27<sup>th</sup> April 2026 has conceded to the application.

3. I have carefully considered the application. Guided by the provisions of Rule 4, decided cases and the interests of justice, I see no reason to deny the applicant the reliefs sought. Consequently, I grant the applicant leave to file his notice of appeal and petition of appeal out of time. The applicant is directed to file his notice of appeal within the next 14 days from today and his record of appeal within 45 days from today.

**Dated and delivered at Nakuru this 30<sup>th</sup> day of April, 2026.**

**J. MATIVO**

.....  
**.... JUDGE OF  
APPEAL**

*I certify that this is  
a true copy of the  
original.*

*Signed.*

**DEPUTY REGISTRAR**