



**Mwangi v Republic (Criminal Appeal (Application)  
E006 of 2024) [2024] KECA 903 (KLR) (20 June 2024) (Ruling)**

Neutral citation: [2024] KECA 903 (KLR)

**REPUBLIC OF KENYA  
IN THE COURT OF APPEAL AT NAKURU  
CRIMINAL APPEAL (APPLICATION) E006 OF 2024**

**JM MATIVO, JA**

**JUNE 20, 2024**

**BETWEEN**

**SAMUEL KARANJA MWANGI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an application for leave to file an appeal out of time from the Judgment of the High Court of Kenya at Nyabururu (C.M Kariuki, J.) dated 7th March 2024 in HCCRA No. 4 of 2021 Criminal Case No. 1336 of 2016)*

**RULING**

1. The Samuel Karanja Mwangi, in his application dated 25<sup>th</sup> March 25, 2024 prays for leave to appeal out of time against the judgment issued in HCCRA No. E024 of 2021 on November 3, 2023.
2. The applicant, together with four others were charged before the Senior Resident Magistrate’s Court in *Criminal Case No. 1326 of 2016 at Nyabururu* with nine counts of the offence of robbery with violence contrary to section 296 (2) of the *Penal Code*. He was sentenced to death on count 2 and 3, on count 5, 6 and 7, the applicant was sentenced to life imprisonment and on count 8 the appellant was sentenced to 10 years which were held in abeyance. His appeal against conviction and sentence was dismissed by the High Court. He was unable to lodge his appeal within time, hence this application.
3. The respondent’s counsel filed submissions supporting the application. I have considered the grounds cited and the law. I find no reason to refuse the application. Accordingly, I direct the applicant to file his Notice of Appeal within 14 days and his appeal within 30 days from today.

**DATED AND DELIVERED AT NAKURU THIS 20<sup>TH</sup> OF JUNE, 2024.**

**J. MATIVO**

.....



**JUDGE OF APPEAL**

I certify that this is a true copy of the original

**DEPUTY REGISTRAR**

