



**In re Baby FBN (Adoption Cause E005 of 2024)
[2025] KEHC 7472 (KLR) (30 May 2025) (Judgment)**

Neutral citation: [2025] KEHC 7472 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERUGOYA
ADOPTION CAUSE E005 OF 2024
EM MURIITHI, J
MAY 30, 2025
IN THE MATTER OF ADOPTION BABY FBN**

IN THE MATTER OF

SMG 1ST APPLICANT

ING 2ND APPLICANT

JUDGMENT

1. This is an application by Originating Summons dated 14th August 2024 for the adoption of Baby FBN, a female child aged 4 ½ years (DOB 5/9/2020).
2. The applicants SMG (52) and ISG (48) are spouses married for 19 years since September 2005 who are shown to be able to provide for the child and they understand the permanent nature of an adoption as well as its consequences that the child becomes their child with all the rights accruing to a child including inheritances of their property as their biological child. The applicants have lived with the child from 21/11/2022 for over two years at the time of the hearing.
3. The subject, a female child born on 5/9/2020, rescued from suspected child traffickers and placed at Embu Children Home and later placed with the applicants on 21/11/2022 with and was declared free for adoption under the Adoption society KKPI, Nairobi.
4. By Report dated 7/2/2025 the Department of Children Services Kirinyaga County has no objection to the adoption and reports that the applicants meet the legal requirements and principles for adoption under the [Children Act](#) 2022.
5. The Report of the Guardian ad Litem Felishina Wanjiru Karoki dated 28/2/2025 reports that the child has well integrated with the applicants and recommends the adoption as being in the best interest of the child.



6. The proposed Legal Guardians Rev. LCM and ENC spouses with adult children of their own and the spiritual mentors of the applicants understand and accept the role and duties of a legal guardian to provide for and take care of the child in the event of disability or death of the applicants.
7. The statutory consents have been waived in view of the circumstances of the case.
8. The Court has observed and examined the subject child and recorded as follows:

Court:

The Court notes that the child is well groomed, pleasant, confident and is able to count he figures upto ten and alphabet upto “K”. She appears happy with the mother 2nd applicant... she is able to write her two names Favour Blessing. She appears to be well bonded with the applicants.”

9. The Court finds that it is in the best interests that the child gets a home with loving parents who have during the period of her placement demonstrated willingness and ability to love, care and protect her together with their own child EBG who now gets a loving small sister, and her a loving elder brother!

ORDERS

10. Accordingly, for the reasons set out above, the Court makes the following orders:
 1. Pursuant to section 187 (1) (a) and (2) (a) of the *Children Act*, the consent of the biological parents of BABY FBN is dispensed with since the child was abandoned shortly after birth.
 2. The Applicants SMG and ISG are authorized to adopt FBN, a minor.
 3. The child shall be known as FBN and the Registrar General be directed to enter this adoption into the Register of Adoptions.
 4. The court appoints Rev. LCM and ENC as the Legal Guardians of FBN, the child subject of these proceedings for purposes of section 195(1) of the *Children Act*.
 5. The Court directs the Registrar General to make the appropriate entries in the Adopted Children Register in respect of FBN pursuant to section 201 (1) of the *Children Act*.
 6. The Court orders that the child FBN shall be considered a Kenyan Citizen in terms of Article 14 (4) of *the Constitution* of Kenya.
 7. The Guardian Ad Litem is discharged in terms of section 188 (4) of the *Children Act*.

Orders accordingly.

DATED AND DELIVERED THIS 30TH DAY OF MAY 2025.

EDWARD M. MURIITHI

JUDGE

Appearances:

Applicants in person.

