



**Republic v Aroko (Miscellaneous Criminal Application  
E096 of 2025) [2025] KEHC 9047 (KLR) (26 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 9047 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E096 OF 2025**

**DR KAVEDZA, J  
JUNE 26, 2025**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**PHILLIP NAHASHON AROKO ..... RESPONDENT**

**RULING**

1. On 9<sup>th</sup> May 2025, the respondent was detained for seven days to allow police investigations. On 16 May 2025, the trial court declined a further custodial request and released the respondent on cash bail. Dissatisfied, the applicant moved this court under sections 362 and 364 of the *Criminal Procedure Code*, seeking revision of the bail orders. This court found that, given the complexity of the matter and its public interest implications, the trial court had failed to balance the competing considerations. The bail orders were set aside, and the respondent was remanded for a further seven days.
2. On 26<sup>th</sup> June 2025, IP Oliver Nabombwe, based at DCI Headquarters, testified that the respondent had initially been treated as a person of interest in the murder of Hon. Charles Ong'ondo Were. Following investigations, no evidence was found linking the respondent to the offence. The respondent has since been listed as a prosecution witness in Kibera High Court Criminal Case No. E006 of 2025, *Republic v William Omoli Shigale & 2 Others*.
3. Ms. Gichuhi, learned prosecution counsel, confirmed the respondent is now cooperating and has been directed to record a statement.
4. I have considered the updated position. The application is allowed as prayed. The custodial orders issued on 19<sup>th</sup> May 2025 are hereby vacated. Cash bail shall be refunded. The Investigating Officer is directed to accord the respondent witness protection under the *Witness Protection Act*, 2006.
5. Orders accordingly.



**RULING DATED AND DELIVERED VIRTUALLY THIS 26<sup>TH</sup> DAY OF JUNE 2025**

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**D. KAVEDZA**

**JUDGE**

