



**Ogango v Republic (Criminal Application E085 of 2024)
[2024] KEHC 10226 (KLR) (19 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 10226 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL APPLICATION E085 OF 2024
RE ABURILI, J
AUGUST 19, 2024**

BETWEEN

BERNARD ONYANGO OGANGO APPLICANT

AND

REPUBLIC RESPONDENT

(From the original conviction and sentence in Kisumu HC CR Case No. 9 of 2017)

RULING

1. The applicant claims in his application dated 4/6/2024 that he was convicted of the offence of murder under Section 204 of the *Penal Code* and was sentenced to thirty years in prison.
2. He claims that he was in custody for 3 years and 9 six months pending trial, which were never taken into account during sentencing. However, he has not annexed any court proceedings for this court to appreciate that fact. It is not for this court to go fishing for evidence to support applications for review of sentences for convicted persons. It is their duty to avail those proceedings and to apply for the same from the respective courts.
3. I find the application is not supported by any material. It is hereby dismissed.
4. Signal to issue.
5. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF AUGUST, 2024

R.E. ABURILI

JUDGE

