



**Ochieng v Republic (Criminal Revision E027 of 2024)
[2024] KEHC 11566 (KLR) (30 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11566 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E027 OF 2024
DR KAVEDZA, J
SEPTEMBER 30, 2024**

BETWEEN

PATRICK JUMA OCHIENG APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Patrick Juma Ochieng is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
 2. The applicant was convicted for the offence of assault causing actual bodily harm contrary to section 251 of the *Penal Code*. He was sentenced to serve five (5) years imprisonment.
 3. According to the Recommendation Report from prison dated 9th August 2024, the Applicant has been of good behaviour since her admission to prison. The Probation Report filed in court indicates that the applicant has been receptive to Rehabilitation programs while in prison. Additionally, the report indicates that the applicant is remorseful and prays that she be granted an early release. Furthermore, he has eight (8) months left in his sentence considering remission.
 4. In view of the foregoing, it is my finding that the applicant is eligible for early release as the both the Probation and Prison Reports found in his favour. The applicant has been in custody for two (2) years and nine (9) months. This, in my view, is sufficient sentence served by the applicant.
 5. The applicant Patrick Juma Ochieng is released forthwith unless otherwise lawfully held.
- Orders accordingly.

RULING DATED AND DELIVERED THIS 30TH DAY OF SEPTEMBER 2024

D. KAVEDZA



JUDGE

