



**Ouru alias Boy v Republic (Miscellaneous Criminal Application
E164 of 2024) [2024] KEHC 11563 (KLR) (26 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11563 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E164 OF 2024
RE ABURILI, J
SEPTEMBER 26, 2024**

BETWEEN

BRIAN ODUOR OURU ALIAS BOY APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Tamu Senior
Principal Magistrate's Court Criminal Case No. E096 of 2023)*

RULING

1. The Convict is Brian Oduor Ouru alias Aboy. He was sentenced to serve 12, 3 and 3 years in prison on each of the respective counts of arson, injuring an animal and malicious damage to property vide Tamu SPM Criminal Case No. E096 of 2023, on 20th March 2024.
2. The sentences as per the warrant to commitment to prison annexed, were to run concurrently.
3. He applies vide his application dated 19th July 2024 that the sentences imposed to run concurrently.
4. I find the application to be an abuse of court process as the sentences were ordered to run concurrently.
5. The application dated 19th July 2024 is dismissed and this file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 26TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

