



REPUBLIC OF KENYA



**Oliech v Republic (Miscellaneous Criminal Application E159 of 2024)
[2024] KEHC 11589 (KLR) (26 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11589 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E159 OF 2024
RE ABURILI, J
SEPTEMBER 26, 2024**

BETWEEN

PAUL AGANDI OLIECH APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Winam Senior Principal
Magistrate's Court Criminal Sexual Offences Case No. E058 of 2021)*

RULING

1. The Convict Paul Agandi Oliech was sentenced to serve thirty (30) years imprisonment on 19th January 2024 vide Winam SPM Sexual Offences Case No. E058 of 2021 for the offence of defilement contrary to Section 8(1) as read with Section 8(2) of the *Sexual Offences Act*.
2. The Mandatory sentence under Section 8(2) of the *Sexual Offences Act* is life imprisonment.
3. He seeks leave to appeal out of time 9 months later.
4. There is no reason given for the inordinate delay.
5. I find the application mischievous and an afterthought.
6. 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

