



REPUBLIC OF KENYA



**Lukale v Director of Public Prosecution (Criminal Revision Application E343 of 2024) [2024] KEHC 15096 (KLR) (26 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 15096 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KAKAMEGA  
CRIMINAL REVISION APPLICATION E343 OF 2024  
S MBUNGI, J  
NOVEMBER 26, 2024**

**BETWEEN**

**WYCLIFFE LUKALE ..... APPLICANT**

**AND**

**DIRECTOR OF PUBLIC PROSECUTION ..... RESPONDENT**

**RULING**

1. The applicant herein was sentenced to serve two years for the offence of having stolen property contrary to section 323 of the [Penal Code](#).
2. I have seen the lower court proceedings and the probation officer's report which is favorable.
3. I do revise the sentence imposed by the trial court and hold that the offender to serve probation for the remainder of the sentence term and be released to the probation department for further orders.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT KAKAMEGA THIS 26<sup>TH</sup> DAY OF NOVEMBER, 2024.**

**S.N MBUNGI**

**JUDGE**

**In the presence of :**

Accused – present

Court Prosecutor – Mbonzo

Court Assistant – Elizabeth Angong'a

