



REPUBLIC OF KENYA



**Nyerere v Republic (Criminal Revision E155 of 2024)
[2024] KEHC 16454 (KLR) (30 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16454 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E155 OF 2024
RE ABURILI, J
DECEMBER 30, 2024**

BETWEEN

IBRAHIM OMONDI NYERERE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The convict herein was sentenced to serve one year imprisonment on 13th May, 2024. Plea was taken on 13/10/2022. The sentence was to be calculated from the date that he was placed in custody. He was arrested on 12/10/2022 according to the charge sheet dated 13/10/2022. He was convicted of the offence of stealing contrary to section 268 as read with section 275 of the *Penal Code*. He paid cash bail on 14/2/2023 but he jumped bail and was remanded then he paid additional cash bail on 11/12/2023
2. He must have served the sentence imposed, taking into account the provisions of section 333(2) of the *Criminal Procedure Code* on the period spent in custody prior to sentencing. However, in the event that the convict is still in prison for the same offence, in the spirit of prison decongestion, he is hereby ordered to have served the sentence imposed and unless otherwise lawfully held, he is set at liberty forthwith.
3. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 30TH DAY OF DECEMBER, 2024

R. E. ABURILI

JUDGE

