



**Kibet v Republic (Miscellaneous Criminal Application E049 of 2022)
[2023] KEHC 18160 (KLR) (25 January 2023) (Ruling)**

Neutral citation: [2023] KEHC 18160 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
MISCELLANEOUS CRIMINAL APPLICATION E049 OF 2022
REA OUGO, J
JANUARY 25, 2023**

BETWEEN

DAVID KIBET APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Before me is an application brought under section 349 of the [CPC](#). The applicant is currently serving a two-year jail term. In this application the he states that he pleaded guilty and was sentenced to serve 2 years imprisonment. He seeks that the sentence be reviewed.
2. Section 349 of the [CPC](#) doesn't deal with revisions. It provides for limitation of time for appeal. The orders sought cannot be granted under the said section. The applicant can move the court to appeal out of time. I therefore decline to grant the orders sought.

RULING READ OUT IN OPEN COURT VIA MICROSOFT TEAM ON THE 25.1.2023

R.E OUGO

JUDGE

In the presence of:

Ms Omondi: State Counsel

Wilkister – Court Assistant

David Kibet: Accused

