



REPUBLIC OF KENYA



KENYA LAW
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**Nyambura v Republic (Revision Case E045 of 2022)
[2023] KEHC 1730 (KLR) (23 February 2023) (Ruling)**

Neutral citation: [2023] KEHC 1730 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYERI
REVISION CASE E045 OF 2022
M MUYA, J
FEBRUARY 23, 2023**

BETWEEN

CHARLES MWAI NYAMBURA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This is a sentence review application pursuant to article 50 (2) (p) (q) of the Constitution section 362 and 364 of the Criminal Procedure Code.
2. The applicant was convicted and sentenced to 30 years imprisonment for the offence of murder contrary to section 203 as read with section 204 of the Penal Code.
He was treated as a first offender. He was arrested on July 18, 2009 his case was heard and he was sentenced to 30 years imprisonment on March 15, 2019.
3. The state does not oppose his application for sentence review and suggests a sentence of 15 years imprisonment I find this case fit for re-sentencing in line with Petition No 15 and 16 of 2015 in the Muruatetu case. A report from the prisons service show that he has greatly reformed. He is sentenced to 20 years imprisonment instead of thirty years imprisonment. The sentence to run as earlier ordered on March 15, 2019.

RULING READ AND DATED AND DELIVERED IN OPEN COURT THIS 23RD OF FEBRUARY, 2023.

HON. JUSTICE M. MUYA

JUDGE

In the presence of:



Present.....Applicant

State Counsel Mr. Mwangi-Respondent

Court Assistant: Kinyua

30 days R/A

