



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Ochieng v Republic (Criminal Revision E183 of 2022)  
[2023] KEHC 17904 (KLR) (27 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 17904 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E183 OF 2022  
RE ABURILI, J  
APRIL 27, 2023**

**BETWEEN**

**ROY ATENG OCHIENG ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. Roy Ateng Ochieng was charged with the offence of defilement contrary to Section 8(1) as read with Section 8(3) of the *Sexual Offences Act*. He pleaded not guilty.
2. The trial court record availed from Winam Senior Principal Magistrate’s Court Sexual Offences Case No. 3 of 2020 shows that on 20<sup>th</sup> May 2021, the charge was withdrawn under Section 87(a) of the *Criminal Procedure Code*.
3. Accordingly, there is no sentence to be reviewed.
4. This file is hereby closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 27<sup>TH</sup> DAY OF APRIL, 2023**

**R. E. ABURILI**

**JUDGE**

