



REPUBLIC OF KENYA



KENYA LAW
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**Jumbe v Republic (Criminal Revision E058 of 2023)
[2023] KEHC 19806 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19806 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E058 OF 2023**

**WA OKWANY, J
JUNE 29, 2023**

BETWEEN

DUKE ATEKA JUMBE APPLICANT

AND

REPUBLIC REPUBLIC

*(From the original Conviction and Sentence in the Chief Magistrates'
Court at Nyamira, Criminal Case No. E406 of 2023 by Hon.
C.W. Waswa, Senior Resident Magistrate on 24th April 2023)*

RULING

1. The Applicant was charged with the offence of stealing contrary to section 268 (1) as read with section 275 of the *Penal Code*. He was convicted on his own plea of guilty and the trial court ordered him to compensate the complainant in the sum of Kshs 10,000/= or in default, to serve 6 months imprisonment. The Applicant has already served 1 month in prison. The Sentence Review Report filed on June 13, 2023 by the Probation Officer Dickson Kairu recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at Mokomoni Primary School under the supervision of the school Headteacher for the remaining part of the sentence.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 29TH DAY OF JUNE 2023.

W.A. OKWANY

JUDGE

