



REPUBLIC OF KENYA



KENYA LAW
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**Kibet v Republic (Criminal Revision E050 of 2023)
[2023] KEHC 19819 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19819 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E050 OF 2023**

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

BETWEEN

EVANS MOCHUMBE KIBET APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Magistrates' Court at Keroka, Criminal Case No. MCCR E282 of 2023 by Hon. B.M. Kimtai, Senior Principal Magistrate on 9th May 2023)

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of stealing stock contrary to section 278 of the *Penal Code* and an alternative charge of handling stolen property contrary to section 322 (1) and (2) of the *Penal Code*. The trial court sentenced him to serve 3 years imprisonment for the 1st count and 5 months imprisonment for the second count. The Report by Peter Mogusu Ayienda the Probation Officer filed on June 14, 2023 finds the Applicant unsuitable for release and does not recommend a non-custodial sentence. I hereby direct that the Applicant continues with institutional rehabilitation for the remaining part of his sentence.
2. **Orders accordingly.**

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

W.A. OKWANY

JUDGE

