



**Machani v Republic (Criminal Revision E023 of 2023)
[2023] KEHC 19846 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19846 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E023 OF 2023
WA OKWANY, J
JUNE 29, 2023**

BETWEEN

WILLIAM MACHANI APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in Criminal Case No. E107
of 2023 by Hon. B. Okongo, Resident Magistrate on 23rd January 2023)*

RULING

1. The Applicant was charged with the offence of stealing a motorcycle contrary to section 278 A of the Penal Code and convicted on his own plea of guilty. The particulars of the offence were that on 17th January 2023, at Gisage Bod Boda stage in Nyamira North Sub-County within Nyamira County stole a motorcylcye registration No. KMEZ 250P make Boxer Bajaj 100BM Red in colour values at Kshs. 100,000/= the property of Kelvin Hamisi.
2. The trial court sentenced him to pay Kshs. 30,000/= fine or in the alternative, serve 3 years imprisonment. The Applicant has already served 6 months imprisonment. The Sentence Review Report filed on 13th June 2023 by the Probation Officer Nelson Mandela recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at the Nyamusi Primary School under the supervision of the School Headmaster for the remaining part of the sentence meted by the trial court.

Orders accordingly.

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

W.A. OKWANY

JUDGE

