



REPUBLIC OF KENYA



**Mayieka v Republic (Criminal Revision E045 of 2023)
[2023] KEHC 19587 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19587 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E045 OF 2023**

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

BETWEEN

GEOFFREY MAYIEKA MAYIEKA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was convicted of the offence of obtaining money by false pretences contrary to section 313 of the *Penal Code*. The trial court sentenced him to pay a fine of Kshs 745,000/= of in default, to serve 2 years imprisonment. The Applicant has since served 3 months imprisonment. The Report by Peter Mogusu Ayienda the Probation Officer filed on June 14, 2023 does not recommend a non-custodial sentence as the period served in custody is considered relatively short and the Applicant is not ready for reconciliation. I hereby direct that the Applicant continues to serve the remaining part of his sentence in custody.

Orders accordingly.

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

W.A. OKWANY

JUDGE

