



REPUBLIC OF KENYA



KENYA LAW
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**Oseko v Republic (Criminal Revision E041 of 2023)
[2023] KEHC 19622 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19622 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E041 OF 2023
WA OKWANY, J
JUNE 29, 2023**

BETWEEN

DOMINIC NYAMBERI OSEKO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates'
Court at Nyamira, Criminal Case No. E1362 of 2022 by Hon.
C.W. Waswa, Senior Resident Magistrate on 14th February 2023)*

RULING

1. The Applicant was charged with the offence of stealing contrary to section 268 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 1 year imprisonment. The Applicant has already served 4 months 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 Nyainobu 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

