



**Maina v Republic (Revision Case E527 of 2022)
[2023] KEHC 21475 (KLR) (31 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 21475 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E527 OF 2022
SM MOHOCHI, J
JULY 31, 2023**

BETWEEN

MARTIN KIIRU MAINA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was on the 17th May, 2022 convicted and sentenced on his own plea of “guilty” for the offence of stealing contrary to Section 268 as read together with Section 275 of the [Penal Code](#).
2. The Applicant was sentenced to serve imprisonment for 2 ½ years without option of fine.
3. The Court called for and reviewed the entire proceedings in Nakuru MCCRE1741/2022 with a view of satisfying itself as to the correctness, legality and propriety of the sentence imposed.
4. This Court finds that the trial Court took into consideration that the accused is a first offender, his mitigation was considered.
5. The Court equally noted the high value of the subject matter as a basis of the sentence imposed and this Court finds no fault in the same.

The application is thus without merit and is accordingly dismissed.

The sentence as imposed is hereby confirmed.

It is so ordered.

SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 31ST JULY 2023

MOHOCHI S.M

JUDGE



In the presence of: -

Court Assistant – Schola

State Counsel – Ms. Mburu

