



**Bosco v Republic (Revision Case E029 of 2023)
[2023] KEHC 22084 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22084 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E029 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

MOSES KIPKOECH BOSCO (KIBET) APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This matter has been brought to me under the Prisons Decongestion Exercise being undertaken by this court.
2. The Applicant Moses Kipkoech Bosco (Kibet) was convicted for the offence of Stealing from a person contrary to Section 279 (a) of the Penal Code and sentenced to serve 1-year imprisonment on April 5, 2023.
3. He has so far served about 4 months in prison.
4. In the Sentence Review Report filed on August 2, 2023 the Probation Officer, Newton Majale recommends that he should continue serving his custodial sentence.
5. According to the said Report the convict is a class 8 dropout and prior to his arrest he stayed alone in Keringet Town where he engaged in car washing jobs, the proceeds of which he used to fend for himself. He intends to go back to his grandfather in Keringet where he will stay shortly before he gets back on his feet and resumes his car wash job. He has a good relationship with his family. The complainant is against his early release as he is still bitter over the events that occurred and requests for compensation before he can be vindicated. The area Chief is against the convict's release as he has previously handled his stealing issues to no avail and does not believe the time he has been in custody is sufficient for him to learn his lesson. The Applicant is remorseful and pleading for a chance to serve a non- custodial sentence. However, due to the instability at home, the probation officer recommends he should continue to serve his custodial sentence.



6. In light of the above, I decline to grant the plea for review. I order that the convict, Moses Kipkoech Bosco (Kibet), serves the remainder of the prison sentence meted by the trial court.
7. File closed.

DATED, SIGNED & DELIVERED AT NAKURU THIS 22ND AUGUST, 2023.

H.M. NYAGA

JUDGE

In the presence of:

C/A Jeniffer

Ms Murunga for state

Applicant

