



REPUBLIC OF KENYA



**Okindo v Republic (Revision Case E167 of 2023)
[2023] KEHC 22059 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22059 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E167 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

CLINTON MOMANYI OKINDO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This matter has been brought to me under the Prison Decongestion Exercise been undertaken by this court.
2. The Applicant, Clinton Momanyi Okindo was convicted for the offence of breaking into a building and committing a felony contrary to section 306 (a) of the *Penal Code* and sentenced to 3 years' imprisonment on February 27, 2023.
3. He has so far served about 7 months in prison.
4. According to the Sentence Review Report filed on July 28, 2023, the Community Service Officer, Salim A.G., recommends Community Service at Lanet Chief's Office for one year.
5. The report further states that the inmate is a form 3 dropout and hails from a humble background where the family engages in subsistence farming and animal keeping. The parents are willing to support the inmate's alternative rehabilitation if offered the chance.
6. The inmate has been engaged in the building and construction section while in prison and regrets the commission of the offence and pleads for leniency.
7. In light of the above and with the view to decongest the prison, I hereby exercise judicial discretion and review the prison sentence and order that the convict serves the remainder of the sentence under community service at Lanet Chief's Camp for one (1) year.



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

H. M. NYAGA

JUDGE

