



**Oguta v Republic (Miscellaneous Criminal Application E091 of 2023) [2023] KEHC 22177 (KLR) (4 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22177 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MOMBASA  
MISCELLANEOUS CRIMINAL APPLICATION E091 OF 2023**

**A. ONG'INJO, J  
AUGUST 4, 2023**

**BETWEEN**

**JAMES OBWANA OGUTA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. Since the applicant's expected date of discharge is January 7, 2024, the remainder of his sentence of 5 months to be served on probation.
2. Orders accordingly.

**DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS, THIS 4<sup>TH</sup> DAY OF AUGUST 2023.**

**HON. LADY JUSTICE A. ONG'INJO  
JUDGE**

**In the presence of: -**

Ogwel- Court Assistant

Mr. Ngiri for Respondent

Applicant present in person

**HON. LADY JUSTICE A. ONG'INJO  
JUDGE**

