



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Okoth v Republic (Miscellaneous Criminal Application E082 of 2023)  
[2023] KEHC 26830 (KLR) (18 December 2023) (Ruling)**

Neutral citation: [2023] KEHC 26830 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E082 OF 2023  
RE ABURILI, J  
DECEMBER 18, 2023**

**BETWEEN**

**STEPHEN OMONDI OKOTH ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Arising from the original conviction and sentence in Senior Principal  
Magistrate's Court Criminal Sexual Offences Case No. E009 of 2022 at Nyando)*

**RULING**

1. In the application for Sentence Review filed on 8<sup>th</sup> November 2023, the Applicant/Convict Stephen Omondi Okoth who was convicted and sentenced by Nyando Law Courts vide Sexual Offences Case No. E009 of 2022 for the offence of attempted defilement contrary to Section 9(1) as read with Section 9(2) of the [Sexual Offences Act](#), on 7<sup>th</sup> July 2022.
2. He claims that he never appealed. There are no proceedings or judgment and or testimonials annexed for the court's consideration for prison decongestion purposes.
3. The application is not supported. It is hereby dismissed. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 18<sup>TH</sup> DAY OF DECEMBER, 2023.**

**R. E. ABURILI**

**JUDGE**

