



REPUBLIC OF KENYA



**Lucas v Republic (Criminal Revision E016 of 2022)
[2022] KEHC 12845 (KLR) (8 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12845 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E016 OF 2022
RE ABURILI, J
AUGUST 8, 2022**

BETWEEN

PASCAL ONYANGO LUCAS ALIAS URODHA APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application seeking revision of sentence, arising from conviction and sentence in Ukwala PM's Court Criminal Case No. E165 of 2021 on 8/12/2021 by Hon. I. N. Sarapai, Principal Magistrate)

RULING

1. The convict Pascal Onyango Lucas was convicted and sentenced to serve 13 months imprisonment on 8/12/2021 for the offence of assault causing actual bodily harm contrary to section 251 of the [Penal Code](#). He is said to be a habitual offender and that he is not willing to serve non-custodial sentence.
2. He has only two months to complete his sentence. However, in the spirit of prison decongestion, I order that the convict Pascal Onyango Lucas shall be released from prison and serve suspended sentence of the remainder term. He shall not reoffend for the next 6 months.
3. I so order.
4. File closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 8TH DAY OF AUGUST, 2022

R.E. ABURILI

JUDGE

