



REPUBLIC OF KENYA



KENYA LAW
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**Nyambwa v Republic (Criminal Revision E019 of 2022)
[2022] KEHC 12805 (KLR) (8 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12805 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E019 OF 2022
RE ABURILI, J
AUGUST 8, 2022**

BETWEEN

EMMANUEL ODHIAMBO NYAMBWA APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application seeking revision of sentence, arising from conviction
and sentence in Siaya CM's Court Criminal Case No. 119 of 2021
delivered on 15/11/2021 by Hon. M.O. Wambani, Chief Magistrate)*

RULING

1. The convict is Emmanuel Odhiambo Nyambwa. He was convicted for the offence of assault causing actual bodily harm and sentenced to serve one year in prison on November 15, 2021. He is almost if not completed sentence as the Probation Report is not filed. The Complainant was his mother, according to the Presentence report filed. The convict is about 30 years old now. He used to abuse bhang and alcohol hence his bad behavior and hostility towards his parents who always lodged complaints with the police.
2. As the convict has nearly completed his prison term, and in the spirit of prison decongestion, I hereby order the convict Emmanuel Odhiambo Nyambwa, if still in prison, shall be released forthwith to serve community service for the remainder of the prison term at Tingwangi Police Post.
3. Probation Officer Siaya to be notified.
4. I so order.
5. File closed.

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



R.E. ABURILI
JUDGE

