



REPUBLIC OF KENYA



**KENYA LAW**  
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**Oluoch v Republic (Criminal Revision E040 of 2022)  
[2022] KEHC 12837 (KLR) (8 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12837 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E040 OF 2022  
RE ABURILI, J  
AUGUST 8, 2022**

**BETWEEN**

**PAUL BARAZA OLUOCH ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(An Application seeking sentence review, arising from conviction  
and sentence in Bondo PM Magistrates' Court Criminal Case No  
E110/2022 by Hon J P Nandi, Principal Magistrate on 27/4/2022)*

**RULING**

1. From the Sentence Review Report which was filed on August 2, 2022 and which I have considered in detail, the convict Paul Baraza Oluoch is a recidivist. He was convicted earlier on for the same offence of being in possession of Cannabis sativa, his sentence reviewed in 2021 and placed on community service at Bondo Probation Office but he absconded only to be rearrested for the same offence. Having breached CSO terms earlier on and on account that he is a notorious supplier of Cannabis sativa and does not regret his serious criminal tendencies, I find him not suitable for non-custodial sentence as correctly observed by the Probation Officer, Joy Beatrice Appollos. The convict Paul Baraza Oluoch shall accordingly serve full prison term of 1 year imprisonment as imposed on April 27, 2022 or to pay the lenient fine of Kshs 50,000/= imposed by the trial court.
2. File closed.
3. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 8<sup>TH</sup> DAY OF AUGUST, 2022**

**R E ABURILI**

**JUDGE**

