



**Langat v Republic (Criminal Revision E034 of 2022)
[2022] KEHC 10982 (KLR) (4 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 10982 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E034 OF 2022**

**JN KAMAU, J
AUGUST 4, 2022**

BETWEEN

MICHAEL KIPROTICH LANGAT APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was stealing stock contrary to Section 278 of the *Penal Code* Cap 63 (Laws of Kenya). He was also charged with the offence of handling stolen property contrary to Section 322(1) as read with Section 322(2) of the *penal Code*. He was arraigned in Court on 9/9/2019 having been arrested on 6/9/2019. On 3/9/2019, the Learned Trial Magistrate convicted him on Count II and sentence him to five (5) years imprisonment. The sentence were to run from the date the accused person was committed to prison. The earliest release date by prison is 9/5/2023. The report by Jackline Mwai Probation Community Service Officer that was filed on 1/8/2022 recommends the applicant serves the remainder of his sentence on a non-custodial sentence. Accordingly, I hereby direct that the applicant serves community service order at Kipsingei Sub Chiefs Office under the supervision of the Assistant Chief of Kipsingei Sub Location Mr. Benard Sigei until 9/5/2023. The court did not review the sentence in line with Section 333(2) of the *Criminal Procedure Code* Cap 75 (Laws of Kenya) as it noted that the penalty per Count II was imprisonment with hard labour for a term not exceeding fourteen (14) years. Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 4TH AUGUST 2022.

J. KAMAU

JUDGE

