



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Shibwabo alias Mohammed v Republic (Criminal Revision
E017 of 2022) [2022] KEHC 12300 (KLR) (3 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12300 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E017 OF 2022**

JN KAMAU, J

AUGUST 3, 2022

BETWEEN

KASSIM OLWALO SHIBWABO ALIAS MOHAMMED APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged with the offence stealing contrary to Section 268 as read with Section 275 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 arrested on 14/4/2021 and arraigned in Court on 16/4/2021 when he denied the charges. The matter proceeded to trial during which time he remained in custody. He was convicted and sentenced to serve three (3) years imprisonment on 17/11/2020. His early release date from prison is 17/11/2023. Samwel Chuma Probation/Community Service Officer has in his report filed on 1/8/2022 recommended that the applicant serves community service order at Ebwarito Primary School for a period of one (1) year four (4) months. Taking into account the period between the date of his arrest and when he was sentenced. In lined with Section 333 (2) of the [Criminal Procedure Code](#) Cap 75 (Laws of Kenya), I hereby direct that the applicant be released to serve community service order as proposed in the aforesaid report but to serve the same until 14/4/2023. Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 3RD AUGUST 2022

J. KAMAU

JUDGE

