



**Jarvan v Republic (Criminal Revision E065 of 2022)
[2022] KEHC 12578 (KLR) (2 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12578 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
CRIMINAL REVISION E065 OF 2022
JN KAMAU, J
AUGUST 2, 2022
(ORIGINALLY CR. CASE NO E079 OF 2022)**

BETWEEN

SATINI JARVAN APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was charged with stealing contrary to Section 268 as read with Section 275 of the Penal Code Cap 63 (Laws of Kenya). He had also been charged with an alternative charge of handling stolen property contrary to Section 322 (1) (2) of the *Penal Code*. He was arrested on 20/1/2022 and arraigned in Court on 21/1/2022. He admitted to the charge on 13/4/2022 and was sentenced to one (1) year imprisonment without the option of a fine on 18/5/2022. The same was to run from the date of arrest. The earliest release date by Prisons is 20/9/2022. The Report of Abdirashid Osman Probation/Community Service Officer that was filed on 29/7/2022 does not recommend the release of Applicant on community service order as the local administration described him negatively as he had thievery tendencies. He has also not enrolled in any skilled programme while serving in Prison. Accordingly, I am not persuaded that I should review the sentence and direct that he serves the remaining part of the sentence in custody as the learned Trial Magistrate directed that his sentence would run from 20/1/2022 when he was arrested. Orders accordingly.

DATED AND DELIVERED AT BUSIA ON THIS 2ND DAY OF AUGUST 2022.

J. KAMAU

JUDGE

