



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**Barasa v Republic (Criminal Revision E068 of 2022)
[2022] KEHC 12580 (KLR) (1 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 12580 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
CRIMINAL REVISION E068 OF 2022**

**JN KAMAU, J
AUGUST 1, 2022**

BETWEEN

CHARLES OPONDO BARASA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged with the offence of stealing stock contrary to section 278 of the [Penal Code](#). He was arraigned in court on February 21, 2022 when he pleaded guilty to the charge. He was sentenced to three (3) years imprisonment on March 10, 2022.
2. The report by Esiromo G Oduya Probation Officer dated July 27, 2022 does not recommend the release of the applicant on community service order due to hostility in the community. This was the same finding of the pre-sentencing report of Dennis Kiptanui Probation Officer dated March 7, 2022. I therefore decline to review the sentence. The applicant is at liberty to file a fresh application at another appropriate time.

Orders accordingly.

DATED AND DELIVERED AT BUSIA ON THIS 1ST DAY OF AUGUST 2022.

J KAMAU

JUDGE

