



REPUBLIC OF KENYA



**KENYA LAW**  
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**Odongo v Republic (Criminal Revision E055 of 2022)  
[2022] KEHC 11011 (KLR) (1 August 2022) (Ruling)**

Neutral citation: [2022] KEHC 11011 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
CRIMINAL REVISION E055 OF 2022  
JN KAMAU, J  
AUGUST 1, 2022  
ORIGINALLY CR CASE NO E1642 OF 2021**

**BETWEEN**

**DAVID ODHIAMBO ODONGO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant was charged with the offence of theft of a motor vehicle contrary to Section 278 (A) of the *Penal Code* Cap 63 (Laws of Kenya). He admitted the charge and was sentenced two (2) years imprisonment on 24/5/2021 having been arraigned in Court. He has served one (1) year and two (2) months in prison. His early date of release is 24/9/2022. The Report by Ezekiel Wesonga Probation/Community Service order filed on 29/7/2022 does not recommend his release on community service order. As the Applicant only has about one and a half (1 ½) months to finish his sentence and was not found suitable to be released on probation, I hereby decline to review the sentence and direct that he completes the remainder of his sentence in custody. Orders accordingly.

**DATED and DELIVERED at BUSIA on this 1<sup>ST</sup> day of AUGUST 2022.**

**J. KAMAU**

**JUDGE**

