



REPUBLIC OF KENYA



KENYA LAW
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**Agunda v Republic (Criminal Revision E065 of 2022)
[2022] KEHC 16851 (KLR) (22 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16851 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E065 OF 2022
RE ABURILI, J
DECEMBER 22, 2022**

BETWEEN

NICHOLAS OKETCH AGUNDA APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for sentence revision in Siaya CM's Criminal Case No. E265 of 2022 delivered by Hon. B. Benjamin Limo, Senior Resident Magistrate on 24.11.2022)

RULING

1. I have perused the trial court record. Although the convict herein Nicholas Oketch Agunda was charged with assault causing actual bodily harm contrary to section 251 of the [Penal Code](#) and he pleaded guilty to the charge, the injuries inflicted on the complainant were so serious that they involved permanent disabilities of loss of teeth.
2. The sentence imposed is lenient and the convict has not completed one month of the 2 years prison term.
3. I decline to review the sentence imposed.
4. File closed. I so order.

DATED, SIGNED AND DELIVERED AT SIAYA, THIS 22ND DAY OF DECEMBER, 2022.

RE ABURILI

JUDGE

