



REPUBLIC OF KENYA



KENYA LAW
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**Marenya v Republic (Criminal Revision E071 of 2022)
[2022] KEHC 16847 (KLR) (22 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16847 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E071 OF 2022
RE ABURILI, J
DECEMBER 22, 2022**

BETWEEN

BRIAN OWUOR MARENYA APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for sentence revision in Siaya CM's Criminal Case No. E229 of 2022 delivered by Hon. B. Benjamin Limo, Senior Resident Magistrate on 8.9.2022)

RULING

1. The Presentence report filed in September 2022 reveals that the convict Brian Owuor Marenya is not suitable for non-custodial sentence as he keeps dangerous company and is involved in thefts. He was sentenced to serve 2 years imprisonment on his own plea of guilty for the offence of stock theft contrary to Section 278 of the [Penal Code](#). That he is 28 years old with no abode.
2. I find the convict herein Brian Owuor Marenya unsuitable for the sentence review. I decline to revise his sentence and let him be rehabilitated in prison first.
3. File closed. I so order.

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

R.E. ABURILI

JUDGE

