



REPUBLIC OF KENYA



KENYA LAW
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**Mathenge v Republic (Criminal Revision E064 of 2022)
[2022] KEHC 16736 (KLR) (22 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16736 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E064 OF 2022
RE ABURILI, J
DECEMBER 22, 2022**

BETWEEN

CHRISTOPHER MAINA MATHENGE APPLICANT

AND

REPUBLIC RESPONDENT

(An Application for sentence revision in Siaya CM's Criminal Case No E084 of 2022 delivered by Hon M O Wambani, Chief Magistrate on April 27, 2022)

RULING

1. The convict Christopher Maina Mathenge was convicted and sentenced to serve one year imprisonment for the offence of stock theft. He has served 8 months of the 12 months imprisonment imposed on him after he pleaded guilty. The presentence report was not positive on his general character. However, as the convict was also fined a paltry Kshs 10,000/= which he has been unable to raise due to poverty, I hereby revise his sentence and order that the convict Christopher Maina Mathenge shall, unless otherwise lawfully held, be released from prison to serve community service for 3 months at the Chief's Office, East Gem.
2. File closed. I so order.

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

R E ABURILI

JUDGE

