



REPUBLIC OF KENYA



KENYA LAW
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**Otieno v Republic (Criminal Revision E084 of 2022)
[2022] KEHC 16841 (KLR) (22 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16841 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E084 OF 2022
RE ABURILI, J
DECEMBER 22, 2022**

BETWEEN

DANIEL ONYANGO OTIENO ALIAS NINI APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for sentence revision in Siaya CM's Criminal Case No 1226 of 2018 delivered by Hon L Simiyu, Principal Magistrate on 28.4.2022)

RULING

1. The convict Daniel Onyango Otieno alias 'Nini' was convicted and fined Kshs 200,000/= in default to serve 2 years imprisonment for robbery with violence.
2. I find him not suitable for non-custodial sentence. The robbery was so aggravated that the complainant has lost vision in his eye and was left with loose teeth.
3. I decline to revise the imposed lenient sentence to allow the convict be rehabilitated in prison, unless he pays the fine.
4. File closed.
5. I so order.

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

R.E. ABURILI

JUDGE

