



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
Where Legal Information is Public Knowledge

**Oteng' v Republic (Criminal Revision E128 of 2022)  
[2022] KEHC 16829 (KLR) (21 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16829 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E128 OF 2022  
RE ABURILI, J  
DECEMBER 21, 2022**

**BETWEEN**

**THOMAS ORIA OTENG' ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application for sentence revision in Bondo PM's Criminal Case No. E486 of 2022 delivered by Hon. J.P. Nandi, Principal Magistrate on 6.9.2022)*

**RULING**

1. The convict Thomas Oria Oteng' is serving 2 years prison term for the offence of stock theft contrary to Section 278 of the [Penal Code](#).
2. The Presentence Report shows that he is a social misfit and a serious threat to his own mother although he admitted committing the offence. He is 32 years but harbours criminal behaviour that require him to be rehabilitated in prison where he has been for just 3 months.
3. I decline to revise the sentence.
4. File closed. I so order.

**DATED, SIGNED AND DELIVERED AT SIAYA, THIS 21<sup>ST</sup> DAY OF DECEMBER, 2022**

**R.E. ABURILI**

**JUDGE**

