



**Juma v Republic (Criminal Revision E091 of 2022)
[2022] KEHC 16788 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16788 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E091 OF 2022
RE ABURILI, J
DECEMBER 20, 2022**

BETWEEN

GEORGE OWINO JUMA APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application for sentence revision in Ukwala PM Criminal
Case No. 189 of 2021 delivered by Hon C.I. Agutu, SRM 11.5.2022)*

RULING

1. On May 11, 2022, the convict herein George Owino Juma was sentenced to serve three (3) years imprisonment for the offence of attempted murder contrary to section 220(9) of the *Penal Code* and one (1) year imprisonment for the offence of sexual assault. Both sentences to run concurrently. He never appealed. The prosecution never sought for enhanced sentence.
2. The convict has been in custody since his arrest on March 28, 2021 as he was found unsuitable to be released on bond pending trial. The presentence report also recommended custodial sentence due to the aggravated nature of the offence as the convict cut the victim with a panga severally all over her body and in her thighs and gluteal areas which were burnt with a hot panga leading to grafting of skin and inserted a hot panga in her genitals to destroy her reproductive system completely. After cutting and burning her, he locked her in the house for one week without food and water and threatened any neighbor who dared go near his house. He continued burning her body with a hot panga for the whole week. She became unconscious and was only rescued by a daring cousin of the convict who called the administration. It is also reported that he is not remorseful and therefore non-custodial sentence will not benefit him.
3. I find the convict George Owino Juma not suitable for non-custodial sentence and decline to review the sentence imposed and order that the convict serves the full sentence.



4. File closed.

5. I so order.

DATED, SIGNED AND DELIVERED AT SIAYA, THIS 20TH DAY OF DECEMBER, 2022

R.E. ABURILI

JUDGE

