



REPUBLIC OF KENYA



**Ngwela v Republic (Criminal Revision E133 of 2022)  
[2022] KEHC 16861 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16861 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E133 OF 2022  
RE ABURILI, J  
DECEMBER 20, 2022**

**BETWEEN**

**REAGAN OCHIENG NGWELA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application seeking sentence review, arising from conviction  
and sentence in Bondo PM Magistrates' Court Criminal Case No.  
1451 of 2021 by Hon. J.P.Nandi, Principal Magistrate on 15/9/2022)*

**RULING**

1. The convict Reagan Ochieng Ngwela was sentenced to serve two years imprisonment for the offence of escape from lawful custody. He was facing another charge of being found in possession of narcotics and psychotropic substances wherein he was sentenced to serve one-year imprisonment on September 15, 2022 and this court has just considered the request for sentence review in HCR REV E102 of 2022 from original Bondo PM CR E1207 of 2021 and found it not merited as he must have served that sentence already.
2. The convict has now served one year of the two years imprisonment. In the spirit of prison decongestion, I hereby revise the remained of the sentence as imposed and order that the convict shall be released from prison to serve community service at Bondo Police Station for a period of six months from the date of release and to be supervised by the officer commanding Bondo Police Station .
3. I find the sentence imposed to be too lenient to revise, considering the serious offence that they committed and never admitted that they committed the offence, thereby taking the court and the complainant through the full trial.
4. File closed.



5. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 20<sup>TH</sup> DAY OF DECEMBER, 2022.**

**R.E. ABURILI**

**JUDGE**

