



REPUBLIC OF KENYA



KENYA LAW
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**Ochieng v Republic (Criminal Revision E076 of 2022)
[2022] KEHC 16844 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16844 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E076 OF 2022
RE ABURILI, J
DECEMBER 20, 2022**

BETWEEN

TONNY PAUL OCHIENG APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for sentence revision in Siaya CM's Criminal Case No. E224 of 2022 delivered by Hon. B. Limo, Senior Resident Magistrate on 19.9.2022)

RULING

1. The convict Tonny Paul Ochieng was sentenced to serve three (3) years imprisonment for the offences of burglary and stealing and stealing stock. The sentences were to run concurrently.
2. He had initially pleaded not guilty but later he pleaded guilty. Sentences were imposed on September 19, 2022. He has not appealed.
3. The Presentence report dated September 19, 2022 shows that the convict partakes alcohol and drug abuse hence he did not show commitment to abide by the reporting instructions.
4. He has been in custody since August 11, 2022.
5. As the convict is a resident of Siaya township, i revise his prison sentence and order that he shall be released to perform unpaid community service at siaya police station under close supervision of the officer commanding police station for a period of one year from date of release.
6. File closed.
7. I so order.

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



R.E. ABURILI
JUDGE

