



REPUBLIC OF KENYA



KENYA LAW
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**Okonda v Republic (Criminal Revision E122 of 2022)
[2022] KEHC 16795 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16795 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E122 OF 2022
RE ABURILI, J
DECEMBER 20, 2022**

BETWEEN

NELSON MBILU OKONDA APPLICANT

AND

REPUBLIC RESPONDENT

(An Application seeking sentence review, arising from conviction and sentence in Siaya High Court Criminal Case No E009 of 2020 by Hon R E ABURILI J on March 30, 2022)

RULING

1. The convict Nelson Mbilu Okonda was convicted of the offence of manslaughter contrary to section 202 as read with section 205 of the *Penal Code* and sentenced to serve four years imprisonment.
2. He has served about nine months although the court directed that the prison term to be calculated from the date of his arrest. This court having sentenced him to a prison term has no power to review that sentence and the convict is not eligible for review of sentence by this court for purposes of prison decongestion.
3. Accordingly, there is no sentence to be reviewed.
4. File closed.
5. Orders accordingly.

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

**R E ABURILI
JUDGE**

