



REPUBLIC OF KENYA



KENYA LAW
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**Onyango v Republic (Criminal Revision E078 of 2022)
[2022] KEHC 16726 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16726 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL REVISION E078 OF 2022
RE ABURILI, J
DECEMBER 20, 2022**

BETWEEN

CAVIN ODUOR ONYANGO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for sentence revision in Siaya CM's Criminal Case No. E237 of 2022 delivered by Hon. B. Limo, Senior Resident Magistrate on 1.9.2022)

RULING

1. On September 1, 2022, the convict Calvin Oduor Onyango was sentenced to serve 8 months imprisonment for the offence of stealing a motorcycle contrary to Section 278A of the [Penal Code](#). He pleaded guilty to the charge and mitigated saying he was a sole breadwinner for this family. He has served close to 4 months of the prison term. The motorcycle was recovered. No Presentence report was filed and or called for.
2. In the premises, I revise the prison term imposed and order that the convict Calvin Oduol Onyango shall be released from prison to serve unpaid Community Service at the nearest Chief's Office for 3 ½ months.
3. File closed. I so order.

Dated, signed and delivered at Siaya, this 20th Day of December, 2022

R.E. ABURILI

JUDGE

