



REPUBLIC OF KENYA



**KENYA LAW**  
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**Otieno v Republic (Criminal Revision E073 of 2022)  
[2022] KEHC 16728 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16728 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E073 OF 2022  
RE ABURILI, J  
DECEMBER 20, 2022**

**BETWEEN**

**BRIAN OTIENO OTIENO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application for sentence revision in Siaya CM's Criminal Case No. E270 of 2022 delivered by Hon. B. Limo, Senior Resident Magistrate on 5.10.2022))*

**RULING**

1. The offender / convict is Brian Otieno Otieno. He was sentenced to serve 3 years imprisonment on October 5, 2022 for the offence of breaking into a building (school) and stealing a laptop from therein. He pleaded guilty to the charge. However, the presentence report filed by the probation officer shows that the convict is a serious threat to his own family members whom he has threatened to kill including his grandmother and mother who have been forced to seek refuge away from home.
2. I decline to revise his sentence as the convict is a serious security threat to the family.
3. File closed.

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

**RE ABURILI**

**JUDGE**

