



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Oyoo v Republic (Criminal Revision E135 of 2022)  
[2022] KEHC 16862 (KLR) (20 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16862 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E135 OF 2022  
RE ABURILI, J  
DECEMBER 20, 2022**

**BETWEEN**

**VICTOR OWINO OYOO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application seeking sentence review, arising from conviction  
and sentence in Bondo PM Magistrates' Court Criminal Case No.  
E302 of 2022 by Hon. J.P.Nandi, Principal Magistrate on 5/7/2022)*

**RULING**

1. The convict Victor Owino Oyoo was sentenced to serve two years imprisonment for the offence of assault causing actual bodily harm.
2. He pleaded guilty to the charge and pleaded for leniency. However, the prosecution tendered evidence that the convict was not a first offender as he had been convicted vide Cr 115 of 2022 and sentenced to serve 12 months imprisonment.
3. In view of the criminal tendencies and recidivism by the convict, I decline to revise his sentence.
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**

