

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISUMU

MISC. CR. APPLICATION NO. 70 OF 2020

DAVID OTIEKA BULUMA.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

NOTES ON SENTENCING

The Petitioner was convicted on 3 counts of **Robbery with Violence**.

1. He was in group of persons who robbed their victims whilst armed with dangerous weapons.
2. During the said robberies they used violence upon the complainants.
3. Each of the offences was a separate action, targeting different persons.
4. The Petitioner was arrested on 30th October 2000.
5. He remained in custody throughout the trial, until he was convicted on 23rd April 2003.
6. I have given due consideration to the mitigation. I have also taken into account the trauma visited on the complainants.
7. In the circumstances I sentence the accused to **THIRTY-FIVE (35) YEARS** Imprisonment. The said sentence shall run from 23rd April 2003, but it shall be discounted by the period he spent in custody whilst he was still on trial.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 26TH DAY OF MAY 2021

FRED A. OCHIENG

JUDGE