



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**CRIMINAL REVISION E025 OF 2021**

**DUNCAN OTIENO OWUOR .....APPLICANT**

**VERSUS**

**REPUBLIC .....RESPONDENT**

*(Revision Application from the judgment, conviction and sentence in UKWALA SRM'S MAGISTRATES COURT NO. 420 OF 2019 by HON. C.N. SINDANI – Senior Resident Magistrate on 16/9/2019 )*

**RULING**

1. **Duncan Otiemo Owuor** was convicted of the offence of being in possession of narcotic drugs to wit, cannabis sativa/ bhang. He was sentenced to serve three years imprisonment in count 1 and in count 2 to serve six months in prison. He did not appeal. He filed sentence revision in this court vide High Court Revision Number E021 of 2020 on account of prison decongestion which application was dismissed on 7.12.2020.
2. He has filed another sentence revision vide prison decongestion exercise. The convict was found to have resisted arrest by police officers. He was violent. He needs rehabilitation and reformation and the best place to outgrow bhang use which is not for medicinal use is prison. I decline to revisit the earlier orders and dismiss the request for sentence review.
3. Filed Closed.
4. Orders accordingly.

**Dated and Signed at Siaya this 30<sup>th</sup> day of June, 2021**

**R.E. ABURILI**

**JUDGE**