

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION E064 OF 2021

COLLINS ODUOR OCHIENG.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Application from the judgment, conviction and sentence in SIAYA PM'S MAGISTRATE'S COURT

Cr Case No. 81 OF 2019 of dated 27.8.2019 by Hon. J.O. Ong'ondo – Principal Magistrate)

RULING

1. The Convict Collins Oduor Ochieng was convicted of the offence of breaking into and entering a building and **committing a felony contrary to section 306 (a) of the Penal Code**. He was sentenced to serve 4 years imprisonment by Hon. J. Ong'ondo Principal Magistrate in Criminal Case Number 81 of 2019. The value of the stolen propriety was KShs.200,000/=.
2. He never appealed. He instead filed before this court and application for sentence Revision vide High Court Criminal Revision Number E016 of 2020 which application was dismissed and now he is back before the court seeking for the same revision of sentence Orders.
3. This court having dismissed a similar application is now deprived of any jurisdiction to sit on its own appeal. Accordingly, the application is hereby declined and dismissed.
4. File closed.
5. Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 28TH DAY OF JUNE, 2021

R. E. ABURILI

JUDGE