



**REPUBLIC OF KENYA**

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

**MISCELLEANOUS CRIMINAL CASE NO. E074 OF 2021**

**FRANCIS OGUTU.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Application for sentence review from the judgment, conviction and sentence in BONDO PMCRC NO.416 of 2020)*

**RULING**

1. The application filed on 30.4.2021 seeks for leave to appeal out of time whereas the grounds in support and the oral submission seeks for sentence reduction.
2. This court has no power to reduce sentence where there is no substantive appeal or revision application for consideration on merit. The application is not supported by the oral submissions and grounds. The same is hereby dismissed.
3. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 28<sup>TH</sup> DAY OF JUNE, 2021**

**R. E. ABURILI**

**JUDGE**