

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION E045 OF 2021

GEORGE OCHIENG OLEWE.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Application for sentence revision from the judgment, conviction and sentence

in BONDO PM'S MAGISTRATES COURT Cr Case No. 114 OF 2016

by Hon M. Obiero, Principal Magistrate on 9/6/2017)

RULING

1. The Applicant **GEORGE OCHIENG OLEWE** was Convicted and sentenced to serve seven (7) years imprisonment for the offence of **Manslaughter** by Hon. M. Obiero, Principal Magistrate on 9.6.2017 in Bondo Principal Magistrate Criminal Case Number 114 of 2016. He appealed to this Court vide High Court Criminal Appeal 23 of 2018 which appeal was heard and dismissed on 5.5.2020. The Convict has now come back to this court for sentence Revision

2. I have considered the Probation Officer's Report. I observe that this court having pronounced itself on sentence imposed on the applicant by upholding it on appeal, it has no power to revisit the said judgment and reduce the sentence further. The sentence imposed was lawful and lenient, and this court has exhausted its jurisdiction and discretion in the matter.

3. Accordingly, the application, is declined and dismissed.

4. Orders accordingly.

5. File closed.

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

R. E. ABURILI

JUDGE