

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISII

CRIMINAL REVISION NO.72 OF 2021

(From original conviction and sentence in Criminal Case No.77 of 2020 of the Kisii magistrate's Court at Kisii)

WILFRED NYANG'AU NYANARO....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

1. Wilfred Nyang'au Nyanaro in his petition filed on the 13/10/2021 seeks a review of his sentence. He is currently serving a 15-year jail term. He was charged and found guilty of Rape.

2. Under section 3(3) of the Sexual Offences Act a person found guilty of rape is liable to an imprisonment term which should not be less than 10 years but which may be enhanced to imprisonment to life.

3. 15 years is a reasonable sentence considering the sentence provided in law. I therefore decline to review the sentence imposed by the trial court. The petitioner is dismissed.

DATED, SIGNED AND DELIVERED AT KISII ON THE 30TH DAY OF NOVEMBER, 2021

R. E. OUGO

JUDGE

In the presence of:

Applicant Present

Mr. Morande State Counsel ODPP

Kevin Isindu Court Assistant