



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT VOI**

**HCCPET NO 23 OF 2019**

**JIMMY MASILA KITEMA.....PETITIONER**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**JUDGMENT**

I have considered submissions herein. The resentencing is now as matter of constitutional right, pursuant to Muruatetu case.

In considering the period, this court note that robbery with violence is a serious offence which must be deterred. I have noted that the Petitioner did not injure anybody, but he stole a motor cycle and money. I am persuaded that in the circumstance a jail term of twelve (12) years is sufficient.

The Petitioner is hereby jailed to serve a term of 12 years from the date of arrest.

**E.OGOLA-JUDGE**

**22/10/2020**