

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT VOI

HCCPET NO 21 OF 2019

JOHN NDUNGU.....PETITIONER

VERSUS

REPUBLIC.....RESPONDENT

JUDGMENT

I have considered the Petitioner's submissions and those of the state. The Petitioner was charged with robbery with violence and has spent 16 years in jail. He robbed 92,000/= and caused harm to the victim.

I think the Petitioner has paid the debts to society, and is entitled to conditional discharge from prison.

I therefore make the following orders:-

- 1) The Petitioner is hereby re-sentenced to serve 16 years in jail.
- 2) Having served the said 16 years, the Petitioner is herewith forthwith released from jail on the following conditions.
 - (i) The Petitioner shall report to Naivasha Police Station on every 1st day of the month for a period of one (1) year beginning 1/11/2020
 - (ii) At the end of one year the Naivasha Police Station shall file a report in this court on the Petitioner, who shall then be free.

E.OGOLA-JUDGE

22/10/2020