

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION NO. E0 15 OF 2020

STEPHEN OCHIENG MAJIWA.....APPELLANT

AND

REPUBLIC.....RESPONDENT

(Application for sentence revision from Siaya PM CR Case No 324 of 2016 sentence passed by Hon J.O.Ongondo, Principal Magistrate on 13/12/2017)

RULING

1. On 13.12.2017 the Convict Stephen Ochieng was convicted of the **offence of grievous harm contrary to Section 234 of the Penal Code** and sentenced to serve 5 years imprisonment. He did not appeal. He now seeks for sentence Revision under Prison decongestion.
2. The offence for which he was convicted and sentenced carries up to life imprisonment. Five (5) years imprisonment was too lenient as the victim sustained very serious injuries involving fractures and cut wounds.
3. I find the application not merited as there are no mitigating factors.
4. I decline the application and dismiss it.
5. File closed.
6. Orders accordingly.

Dated, Signed and Delivered at Siaya This 25th day of November, 2020

R.E. ABURILI

JUDGE