

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION NO. E011 OF 2020

CORAM: HON. R.E. ABURILI J

JAMES OUMA ODIN ALIAS STRANGER.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application seeking Revision of sentence in Criminal Case No. 173 of 2020

at Principal Magistrate's Court at Bondo on 7.5.2020 before

Hon. J.P. Nandi, Principal Magistrate)

RULING

1. I have considered the application by the convict James Ouma Odin alias Stranger, seeking for Revision of sentence of 2 years imprisonment for grievous harm. He pleaded guilty. The Plea was unequivocal.
2. The Probation report submitted is clear that he was not suitable for non-custodial sentence. The sentence for grievous harm is life imprisonment. Two (2) years imprisonment is lawful and too lenient to warrant revision, considering the serious injuries sustained by the Complainant. I decline to revise the lawful and lenient sentence.
3. Furthermore, the convict is a recidivist, who went into hiding after the offence. The Application is dismissed. The convict to serve full sentence.
4. File closed.
5. Orders accordingly.

Dated, signed and Delivered at Siaya, this 16th Day of November, 2020

R.E. ABURILI

JUDGE