

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL REVISION NO. E024 OF 2020

BENTAH AUMA OCHIDO.....PETITIONER

VERSUS

STATE.....RESPONDENT

(Being an application of Revision of Sentence in Siaya PMCCRC EO59 of 2020 delivered on 21.9.2020 by J. Ong'ondo – P.M.)

RULING

1. I have considered the application for Sentence Review of 12 months or a fine of KShs.30,000/- imposed on the Convict BENTAH AUMA OCHIDO for the conviction for manufacturing alcoholic drinks without a licence.
2. The sentence is lawful. The convict pleaded guilty and is a first offender as there were no past criminal records.
3. However, in the spirit of Prison decongestion, I hereby set aside the sentence imposed and substitute it with an Order that the Convict Bentah Auma Ochido shall be discharged from Prison on condition that she does not reoffend for the next one year in default she will be rearrested and send to prison to complete the sentence imposed.
4. Therefore, unless otherwise lawfully held, the Convict Bentah Auma Ochido is hereby set at liberty on the conditional discharge.
5. File closed.
6. Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 18th DAY OF DECEMBER, 2020

R.E. ABURILI

JUDGE