

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

HC. CR. REV. NO. 43 OF 2018

(CORAM: R. E. ABURILI - J.)

ALFRED ONGATA ANYENJE.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an appeal against both the conviction and the sentence dated 23.10.2017 in Criminal Case No. 534 of 2017 in Siaya Law Court before Hon. J. Ongondo – PM)

RULING OF THE COURT

The Convict, **Alfred Ongata Anyenje** was convicted of the offence of stealing contrary to **Section 275 of the Penal Code** on 23/10/2017 vide Siaya PM Cr. Case No. 534 of 2017. He was sentenced to serve 1 year imprisonment.

From the Probation Officer's Report signed and dated 10/4/2018, the Convict has already served his sentence in full by 23/6/2018. It follows that the request for revision of sentence is now overtaken by events. There is nothing left to be revised.

Accordingly, the request which was made as part of Prison Decongestion Policy is hereby declined and dismissed.

The file is hereby closed.

Dated, Signed and Delivered at SIAYA this 31ST day of July 2018.

R.E. ABURILI

JUDGE

In the presence of:

Mr. Okach: Prosecution Counsel for the State

Alfred Ongata: Appellant in person (present)

Court Assistant: Akida and Brenda