



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**HC. CR. REV. NO. 86 OF 2018**

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

**SILVESTER MAGANGA ALIAS BABU.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

***(Being an appeal against both the conviction and the sentence dated 15.04.2015 in Criminal Case No. 1131 of 2014 in Bondo Law Court before Hon. M.M. Nafula - SRM)***

**RULING OF THE COURT**

I have considered the request for sentence review in this matter in line with Probation Officer's Report dated and signed by Josiah Ongori Ondari, Probation Officer, Siaya. The Applicant is serving a 5year prison sentence for manslaughter. He was sentenced on 15/4/2015 and has so far served more than half of the prison sentence. He has learnt his lesson in prison. He has learnt to be a Mason and the community views him positively.

In the premises, I exercise my discretion and revise the remainder of the sentence and substitute it with an Order that the convict shall serve 12 months on Probation, to be supervised by the Probation Officer, Vihiga County.

***Dated, Signed and Delivered at SIAYA this 31<sup>ST</sup> day of July 2018.***

**R.E. ABURILI**

**JUDGE**

***In the presence of:***

**Mr. Okach:** Prosecution Counsel for the State

**Silvester Maganga Alias Babu:** Applicant in person (*present*)

**Court Assistant:** Akida and Brenda