

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

HC. CR. REV. NO. 56 OF 2018

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

JOSEPH OLOO OGOLLA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an appeal against both the conviction and the sentence dated 3.7.2015 in

Criminal Case No. 387 of 2015 in Bondo Law Court before Hon. M. Obiero – PM)

JUDGMENT

The Applicant herein **Joseph Oloo Ogola** is a 45 years was vide Bondo PM's Court Cr. Case No. 387/2015 convicted of the offence of *Burglary and Stealing* contrary to **Section 304(2) and 279 of the Penal Code Cap 63 Laws of Kenya**. He was sentenced to serve 3 years imprisonment after a full trial on 3/7/2015. He has served more than 2 years and 10 months and had a balance of 53 days as at 27/4/2018 when a Pre-sentence Review report filed by the Siaya County Probation Officer was prepared but filed in Court on 17/5/2018.

The Applicant's case was brought to court for jail decongestion program in March 2018 and Hon. Majanja J directed that a sentence review report be filed.

Regrettably, the convict has already served his three year prison sentence and therefore there is nothing to be revised.

Accordingly, the file herein is hereby marked as closed.

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

R.E. ABURILI

JUDGE