

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KAKAMEGA

CRIMINAL REVISION NO. 275 OF 2015

JORAM ANYANGU AHONYAAPPLICANT

VERSUS

REPUBLICRESPONDENT

*(Being a Revision from the order of Butere Principal Magistrate's Court Criminal Case No.104 of 2015
by Hon. E.S.Olwade, Principal Magistrate on 31st March, 2015)*

RULING ON REVISION

1. Joram Anyangu Ahonya was charged with the offence of actual bodily harm contrary to section 251 of the Penal Code. He pleaded guilty to the charge and was convicted on his own plea of guilty. He was sentenced to serve two years imprisonment with effect from 31st March, 2015.
2. The matter was referred to this court for revision of the applicant's sentence in accordance with the provisions of section 364 of the Criminal Procedure Code Cap 75, Laws of Kenya.
3. A Probation Officer's report on record dated 3rd December, 2015 indicates that the applicant has undergone counseling and spiritual empowerment sessions in prison. He is thus ready and willing to reconcile with the complainant who is his stepmother. He has also learnt agro-farming which he wants to replicate in his farm.
4. Having considered the probation report which is favourable to the applicant, I make orders that the applicant herein, Joram Anyangu Ahonya, shall serve the remainder of his sentence under community service at Mwikhalika Primary School.
5. The applicant shall therefore be released from prison custody forthwith unless he is otherwise lawfully held.

It is so ordered.

DELIVERED, DATED and SIGNED at KAKAMEGA on this 29th day of April, 2016.

NJOKI MWANGI

JUDGE