

REPUBLIC OF KENYA.

IN THE HIGH COURT OF KENYA AT KAKAMEGA.

CRIMINAL REVISION NO. 187 OF 2015.

ALBERT INYUNDO

MALIKA AKHONYA.....APPLICANTS

VERSUS

REPUBLIC.....RESPONDENT

(Being a Revision from the order of Butere Principal Magistrate's Court Criminal Case No.35 of 2014 by Hon. M.I. Shimenga, Resident Magistrate on 24th January, 2014.)

RULING ON REVISION

1. The applicant Albert Inyundo was charged with the offence of burglary contrary to section 304 (1) (a) and stealing contrary to section 279 (b) of the Penal Code. He pleaded guilty to the charge and he was convicted on his own plea of guilt. He was sentenced to serve three (3) years imprisonment on 24th January, 2014.
2. A probation report on record dated 3rd December, 2015 shows that the applicant has learnt how to intercrop and diversify farm produce in agriculture. He has also undergone counseling sessions.
3. The probation report being favourable to the applicant, I order that he serves a term of six (6) months under Community Service effective from today's day.
4. The applicant shall be set at liberty unless otherwise lawfully held after the six (6) months of Community Service.

It is so ordered.

DELIVERED, DATED and SIGNED at KAKAMEGA on this 27th day of May, 2016.

NJOKI MWANGI

JUDGE