

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 249 OF 2013

(Being A Revision in the Conviction and Sentence on 11.09.2012 by the Honourable Resident Magistrate, N.Barasa at Sotik in Criminal .Case No.1822 of 2012)

ALBERT ROTICH.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

(Before Hon. Justice Byram Ongaya on Friday 18th October, 2013)

RULING ON REVISION

The applicant Albert Rotich is serving a sentence of 2 years imprisonment effective 11/09/2012 following conviction for the offence of creating a disturbance in a manner likely to cause a breach of the peace contrary to Section 95 (1) (b) of the Penal Code.

I have perused the initial report by the probation officer presented to the trial court. It is apparent that the applicant's criminal conduct targeted his family members causing them serious distress.

Accordingly, the court considers that the applicant is not suitable for community service order. The sentence by the honourable trial court is upheld

Signed, dated and delivered in court at Kericho this Friday, 18th October, 2013.

BYRAM ONGAYA

JUDGE