

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 237 OF 2013

(Being A Revision in the Conviction and Sentence on 20.09.2013 by the Honourable Resident Magistrate, N.Barasa at Sotik in Traffic .Case No.1888 of 2012)

BERNARD KIMUTAI KIRUI.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicant Benard Kimutai Kirui was convicted upon his plea of guilt to the offence of stealing from a person contrary to Section 279 (a) of the Penal Code. He was sentenced to serve 2 years imprisonment with effect from 20/09/2012. He has served 16 months imprisonment.

The report by the probation officer shows that the applicant is remorseful and is suitable for community service.

In the circumstances the sentence by the trial court is altered and the applicant shall serve the community for 30 days under the officer in charge of Sotik sub-district hospital.

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

BYRAM ONGAYA

JUDGE