

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 258 OF 2013

(Being A Revision in the Conviction and Sentence on 17.04.2013 by the Honourable Senior Resident Magistrate, J.Kasam at Sotik in Criminal .Case No.200 of 2013)

BERNARD KIPYEGON KOECH.....1ST APPLICANT

ANDERSON KIPTOO RONO.....2ND APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicants are Benard Kipyegon Koech and Anderson Kiptoo Rono were each convicted of committing the offence of having or conveying suspected stolen property contrary to section 323 of the Penal Code. They were each sentenced to a fine of Kshs. 20,000 in default to serve one year imprisonment. The 1st applicant has served 6 months imprisonment and the 2nd applicant 3 months imprisonment.

The report by the probation officer shows that the applicants carry a history of breaking the law and are habitually not law abiding citizens.

In the circumstances the court finds that they are not suitable for community service orders. 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