

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 248 OF 2013

(Being A Revision in the Conviction and Sentence on 26.03.2013 by the Honourable Resident Magistrate, n. Barasa at Sotik in Criminal .Case No.182 of 2013)

GIDEON K. KIRUI.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicant is Gideon Kirui. He was convicted of the offence of stealing stock contrary to Section 278 of the Penal Code. He was sentenced to 5 years imprisonment effective 27/3/2013.

The probation officer reports that applicant's home could not be ascertained. The court finds that in view of the probation report and the gravity of the offence, the applicant is not suitable for a 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