

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 181 OF 2013

(Being A Revision in the Conviction and Sentence on 23.08.2011 by the Honourable Principal Magistrate, T.Okello at Bomet in Criminal Case No.61 of 2010)

JACKSON KIPKEMOI KOECH.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

This is the Ruling on revision under **Section 362** and **364** of the **Criminal Procedure Code Cap 75** and Section 8(2) of the Community Service Orders Act, 1998.

I have perused the trial court's record. The accused was convicted on 23/8/2011 for the offence of Attempted Robbery Contrary to Section 297 (1) of the Penal Code and sentenced to 18 months imprisonment effective 23/8/2011. As per probation officer's report there is a mistaken impression that he was sentenced to serve two (2) years and 18 months imprisonment.

I have considered the remorsefulness of the applicant, the term served in prison and his improvement into a responsible citizen and order that he shall be discharged forthwith.

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

BYRAM ONGAYA

JUDGE