

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 236 OF 2013

(Being A Revision in the Conviction and Sentence on 11.09.2012 by the Honourable Resident Magistrate, J.Kasam at Sotik in Criminal Case No.1512 of 2012)

KENEDDY KIPSANG RONO.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicant was convicted for the offence of breaking into a building and committing a felony contrary to **Section 306 (a)** of the **Penal Code**. He was sentenced to a fine of Kshs. 30,000 in default 2 years imprisonment effective 13/11/2012. He has served about 13 months imprisonment.

I have noted the applicant's supportive family as per the probation officer's report. I have also noted his willingness to reconcile with the complainant.

In conclusion the Honourable trial court's sentence is altered and the applicant is ordered to serve the community for 90 days under head teacher at Kapsinendet Secondary School.

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

BYRAM ONGAYA

JUDGE