

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 239 OF 2013

(Being A Revision in the Conviction and Sentence on 25.03.2013 by the Honourable Resident Magistrate, N.Barasa at Sotik in Criminal Case No.186 of 2013)

PATRICK KIBET CHEPKWONY.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicant Patrick Kibet Chepkwony pleaded guilty to the offence of stealing stock contrary to Section 278 of the Penal Code. He was convicted and sentenced to 4 years imprisonment effective 25/3/2013. The complainant was his aunt and she has confirmed to the probation officer that the applicant is a person with no respect for authority and the family. The probation officer has recommended that the applicant is not suitable for community service.

The court has considered the gravity of the offence and the report by the probation officer and finds that 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