

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 253 OF 2013

(Being A Revision in the Conviction and Sentence on 15.08.2012 by the Honourable Resident Magistrate, N.Barasa at Sotik in Criminal .Case No.1514 of 2012)

ROBERT KIPNGETICH SANGA alias NONDI.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicant Robert Kipngetich Sanga alias Nondi was charged with the offence of breaking into a building and committing a felony contrary to Section 306 (a) of the Penal Code.

The applicant was convicted and sentenced to 4 years imprisonment effective 15/08/2012.

The court has considered the probation officer's report and the gravity of the offence. It is the opinion of the court that the applicant is not suitable for community service order. The application is declined and the sentence by the trial court upheld.

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

BYRAM ONGAYA

JUDGE