



**Otongo v Republic (Criminal Revision 354 of 2024)  
[2025] KEHC 183 (KLR) (21 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 183 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 354 OF 2024  
DR KAVEDZA, J  
JANUARY 21, 2025**

**BETWEEN**

**ISIAHAH MOMANYI OTONGO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offence of stealing contrary to section 268(1) of the [Penal Code](#). He was sentenced to two (2) years imprisonment.
2. He has filed the present undated application received on 27<sup>th</sup> November 2024 seeking a revision of sentence imposed. The grounds raised are consolidated as follows; that the sentence review is upheld in line with the rule of law, and he urged the court to revise the sentence of the trial court to a non-custodial sentence.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant’s mitigation, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality, it is my finding that the sentence imposed was also legal in the circumstances of the case.
4. In my view I find that there is no irregularity in the sentence imposed by the trial court. The application dismissed for lacking in merit.

**RULING DATED AND DELIVERED VIRTUALLY THIS 21<sup>ST</sup> JANUARY 2025**

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**D. KAVEDZA**

**JUDGE**

