



Odhiambo v Republic (Miscellaneous Criminal Application E042 of 2025) [2025] KEHC 5514 (KLR) (5 May 2025) (Ruling)

Neutral citation: [2025] KEHC 5514 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E042 OF 2025**

DR KAVEDZA, J

MAY 5, 2025

BETWEEN

EVANS OCHIENG ODHIAMBO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for the offence of robbery with violence contrary to section 296(2) of the [Penal Code](#). He was sentenced to serve fifteen (15) years imprisonment.
2. He has filed the present undated application received on 3rd March 2025 seeking sentence review. The grounds raised are that he is the sole breadwinner in his family who have suffered since his incarceration. He is remorseful for the offence committed. He has undergone rehabilitation. 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. The sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court. The application dismissed.

RULING DATED AND DELIVERED VIRTUALLY THIS 5TH DAY OF MAY 2025

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D. KAVEDZA

JUDGE

