



**Kibe v Republic (Criminal Revision E068 of 2025)  
[2025] KEHC 7798 (KLR) (3 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 7798 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION E068 OF 2025**

**DR KAVEDZA, J**

**JUNE 3, 2025**

**BETWEEN**

**JAMES WACHIRA KIBE ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant jointly with two others not before this court was charged with the offence of robbery with violence contrary to section 295 as read with section 296 (2) of the Penal Code, Cap 63 Laws of Kenya. After a full trial, he was sentenced to death. His appeal before this court was partially successful where he was resented to 25 years imprisonment to run from the date of conviction having already considered the time spent in remand custody.
2. He filed the present application and an affidavit in support of his motion seeking sentence review. The arguments raised are that the trial court failed to consider the time he spent in remand custody during the computation of his sentence.
3. I have considered the application, the affidavit in support and the applicable law. I have also considered the trial court record. The issue for consideration is whether the trial court considered the time the applicant spent in remand.
4. From the record, this court in its judgement delivered on 9<sup>th</sup> April 2024 clearly indicated that the time spent in remand custody had been considered.
5. In the premises, the application is found to be lacking in merit and is dismissed.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 3<sup>RD</sup> DAY OF JUNE 2025**



**D. KAVEDZA**  
**JUDGE**

