



**Mukolwe v Republic (Criminal Revision E466 of 2024)
[2025] KEHC 7736 (KLR) (4 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 7736 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E466 OF 2024
RN NYAKUNDI, J**

JUNE 4, 2025

BETWEEN

JACK OMONDI MUKOLWE ACCUSED

AND

REPUBLIC PROSECUTOR

RULING

1. The accused person was charged with the offence of house breaking contrary to section 304(1) of the penal code. Sentenced to serve 3 years imprisonment. The particulars of the offence are that on the 9th September 2023 at Upperhill estate in Turbo sub-county within Uasin Gishu county, jointly with others not before court broke and entered the building used as a dwelling house by Mr. Jackson Mwangi with intent to commit a felony therein.
 1. The applicant entered into a plea-bargaining agreement in which he pleaded guilty to the offence and finally sentenced to 3 years imprisonment. He has now applied to this court to review the same sentence. The offence in question carry a maximum sentence of 7 years. The learned trial magistrate in sentencing the applicant took into account section 333(2) of the CPC.
 2. I have reviewed the trial court record and subject to the provisions of the law they are now ground under section 362 of the criminal procedure code to review the sentence downwards. The application is therefore dismissed for want of merit
 3. It is ordered.

SIGNED, DATE AND DELIVERED AT ELDORET THIS 4TH DAY OF JUNE 2025

R. NYAKUNDI

JUDGE

