



**Ochieng v Republic (Criminal Revision E071 of 2025)
[2025] KEHC 8470 (KLR) (17 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8470 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E071 OF 2025
DR KAVEDZA, J
JUNE 17, 2025**

BETWEEN

ARNOLD OCHIENG APPLICANT

AND

REPUBLIC RESPONDENT

(Being an application for sentence review against the original conviction and sentence delivered on 3rd July 2024 at Kibera Chief Magistrate’s Court Criminal Case no. E207 of 2023 Republic vs Arnold Ochieng)

RULING

1. The applicant was charged and after a full trial convicted for the offences of demanding money with menaces contrary to Section 302 of the *Penal Code* and Resisting arrest by a police officer contrary to Section 253(b) of the *penal code*. He was sentenced to serve 3 years for each count to run consecutively. His appeal before this court was partially successful. The sentence of three (3) years imposed for counts II and count V was maintained. However, the sentences were to run concurrently.
2. He has filed the present application dated 10th April 2025 seeking revision of sentence. The grounds raised are that 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 pre-sentence report and the fact that the applicant was a first offender before sentencing.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court. The application dismissed for lacking in merit.

RULING DATED AND DELIVERED VIRTUALLY THIS 17TH DAY OF JUNE 2025



D. KAVEDZA
JUDGE

