



REPUBLIC OF KENYA



**Songol v Republic (Criminal Application E176 of 2019)
[2025] KEHC 7916 (KLR) (4 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 7916 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL APPLICATION E176 OF 2019
RN NYAKUNDI, J
JUNE 4, 2025**

BETWEEN

ELIUD K SONGOL APPELLANT

AND

REPUBLIC RESPONDENT

RULING

Representation:

M/s Sidi for the State

1. Before this court is an application in the above mentioned case which states as follows:
 - i. That I pleaded guilty to the charges
 - ii. That I was a first offender
 - iii. That commission of this offence was out of pressure and temptation
 - iv. That, I am remorseful, repentant and reformed because I have learned the incarceration
 - v. That I have a family of 12 children and a wife who all depend upon me for daily living and education
 - vi. That my children life is in jeopardy because we stay in a rented premise which they will not be able to cater for
 - vii. That my wife is jobless and sickly hence nobody will take care of her and the children
 - viii. That may this honorable court be pleased to grant me leniency



Decision

1. The appellant was charged, convicted and sentence to four years imprisonment for the offence of stealing by servant contrary to section 281 of the penal code. The sentence was imposed on 18th of November 2019 and he has since served the requisite period. Therefore, renders the instance appeal moot and is hereby dismissed under Section 382 of the *Criminal Procedure Code*.
2. The file is marked and closed

Orders accordingly

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

.....

R. NYAKUNDI

JUDGE

