



REPUBLIC OF KENYA



**Simon Bajila Joseph v Republic (Criminal Revision
E001 of 2025) [2025] KEHC 8110 (KLR) (3 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8110 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT GARSEN
CRIMINAL REVISION E001 OF 2025**

JN NJAGI, J

JUNE 3, 2025

BETWEEN

SIMON BAJILA JOSEPH APPLICANT

AND

REPUBLIC PROSECUTION

RULING

1. The applicant was convicted of two counts – dealing in the carcass or meat of wildlife species contrary to section 98(1) as read with section 105(1)(b) of the [Wildlife Conservation and Management Act](#) 2013 in which he was sentenced to 3 years imprisonment.
2. Count 2 – killing a wildlife species without a permit or other lawful exception contrary to Section 95(a) of the [Wildlife Conservation and Management Act](#) in which he was charged with killing 32 dikdikis weighing 128 kgs. He was sentenced to pay a fine of kshs.5 million in default to serve 5 years imprisonment. Sentence was ordered to run consecutively, meaning has is to serve 8 years imprisonment.
3. The applicant has now filed a sentence review application based on the ground that he has a family and that he is reformed.
4. The applicant was sentenced on 6th April 2022. He has thereby served 3 years of the sentence imposed on him. He has 5 years to go. I do not think that the sentence served is sufficient to warrant this court granting the applicant early release from prison on the grounds of having being rehabilitated especially considering that he killed 32 dikdikis.
5. Consequently, the sentence review application is declined.

DELIVERED, DATED AND SIGNED AT GARSEN THIS 3RD DAY OF JUNE 2025.

J. N. NJAGI



JUDGE

In the presence of:

Mr. Oluoch for Respondent

Applicant: present in person at G.K. Prison Malindi

Court Assistant - Ndonye

