



**Boke v Republic (Criminal Revision E265 of 2024)  
[2025] KEHC 10179 (KLR) (16 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10179 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
CRIMINAL REVISION E265 OF 2024  
RN NYAKUNDI, J  
JULY 16, 2025**

**BETWEEN**

**BRIAN BOKE ..... ACCUSED**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

Representation

M/s Sidi for the State

1. Before this court the accused were charged with offence of stealing stock contrary section 278 of the penal code and was sentenced to 3 years. The particulars offence is: Brian Boke: On the night of 27<sup>th</sup> and 28<sup>th</sup> June 2023 at Kapchinja area in Kapseret sub-county within Uasin Gishu county, stole a cow valued at Kshs. 40,000/= the property of Philip Sang; Brian Boke: On the 28<sup>th</sup> day of June 2023 at Baharini area in Turbo sub-county within Uasin Gishu county, otherwise than in the course of stealing dishonestly retained one cow valued at Kshs. 40,000/= knowing or having reason to believe them to be stolen property

**Decision**

2. This application has been overtaken by events the applicant has already served the sentence of 3 years. The application is therefore dismissed for want of jurisdiction for the subject matter is spent.

**DELIVERED, DATED AND SIGNED AT ELDORET ON THIS 16<sup>TH</sup> JULY 2025**

.....

**R. NYAKUNDI**

**JUDGE**

