



REPUBLIC OF KENYA



KENYA LAW
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**Mugambi v Republic (Criminal Revision E002 of 2025)
[2025] KEHC 9694 (KLR) (3 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 9694 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E002 OF 2025**

E OMINDE, J

JULY 3, 2025

BETWEEN

ANTHONY MUGAMBI PETITIONER

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant herein moved this Court by way of a Notice of Motion Court dated 24th December 2024. He prays to Court that as provided under Section 333(2) of the [Criminal Procedure Code](#), the Court considers and factors into his sentence the period that he was in remand custody during the trial.
2. He states in the Affidavit in support of the Application that he was charged with the offence of Robbery with violence contrary to Section 296 (2) of the [Penal Code](#), Laws of Kenya convicted and sentenced to 3 years imprisonment. That he has no issue with the conviction and the sentence and has only one Ground as above.
3. Counsel for the State in his oral response to this Application opposed the Applicant's Application and stated that the period Applicant spent in remand was considered when he was convicted and sentenced to 3 years imprisonment by the trial Court on 19th December 2024.
4. I have perused the record of proceedings of sentencing. It is clear that the period that the applicant spent in remand was considered when the trial Court sentenced the Applicant to 3 years imprisonment on 19th December 2024. I therefore agree with the sentiments of the prosecution. For this reason, the Applicant's Application lacks merit and the same is accordingly dismissed.
5. Right of Appeal 14 days.

READ, DATED AND SIGNED AT ELDORET ON 3RD JULY 2025.

E. OMINDE



JUDGE

