



**Otieno v Republic (Criminal Miscellaneous Application
E011 of 2025) [2025] KEHC 11125 (KLR) (28 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 11125 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL MISCELLANEOUS APPLICATION E011 OF 2025**

JM OMIDO, J

JULY 28, 2025

BETWEEN

VINCENT OKOTH OTIENO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have considered the application (undated) that seeks sentence review.
2. I note from the record of the trial court that the 129 days that the Applicant remained in custody as his trial proceeded were not taken into account when he was sentenced, as is mandatorily required under Section 333(2) of the *Criminal Procedure Code*.
3. That being the case, I proceed to review his sentence of 10 years imprisonment only to the extent that 129 days shall be deducted from the said sentence.
4. This file is hereby closed.

DELIVERED, DATED AND SIGNED THIS 28TH DAY OF JULY, 2025.

JOE M. OMIDO

JUDGE

Applicant: Present, virtually.

For the Respondent: Ms. Jebichii, Prosecution Counsel.

Court Assistants: Mr. Ngoge & Mr. Juma.

