



**Simatia v Republic / State (Criminal Revision E030 of 2025)
[2025] KEHC 10680 (KLR) (23 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10680 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
CRIMINAL REVISION E030 OF 2025**

RPV WENDOH, J

JULY 23, 2025

FROM ORIGINAL CONVICTION AND SENTENCE OF CM.CRI. C. NO. E002 OF 2024

BETWEEN

SAMWEL SIMATIA APPLICANT

AND

REPUBLIC / STATE RESPONDENT

RULING

1. On 30/09/2024, the applicant Samwel Simatia was sentenced to four (4) years imprisonment by the Chief Magistrate for the Offence of Stock Theft contrary to section 278 of the [Penal Code](#).
2. He has brought an application seeking to have this court consider the period he was in remand before conviction and include it in the sentence. The trial court did not indicate that it had factored the period the applicant stayed in remand in the sentence.
3. Under section 333(2) of the [Criminal Procedure Code](#), I hereby order that the applicant's sentence of four (4) years do commence on 8/1/2024 when he was arraigned in court for plea.

It is so ordered.

File closed.

DATED, SIGNED AND DELIVERED AT KAPENGURIA ON 23RD DAY OF JULY, 2025

HON. R. WENDOH

JUDGE

Ruling delivered in chambers.

