



**Ngumbao v Republic (Miscellaneous Criminal Application
E159 of 2023) [2024] KEHC 1933 (KLR) (18 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 1933 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
MISCELLANEOUS CRIMINAL APPLICATION E159 OF 2023**

**A. ONG'INJO, J
JANUARY 18, 2024**

BETWEEN

ALI MASHA NGUMBAO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant seeks that his sentence be reviewed for reasons that same is mandatory and that his mitigation was not considered.
2. The Applicants prayer was considered in High Court Criminal Appeal No. E023 of 2021 it was established that the trial Magistrate passed the sentence of 20 years on 06th May 2020 after considering his mitigation and exercised discretion in meting out the said sentence.
3. It was also ordered that the sentence runs from 19th October 2018 when the applicant was arraigned in court. The prayer was therefore exhaustively considered and application is dismissed.

DATED, SIGNED AND DELIVERED IN OPEN COURT/ONLINE THROUGH MS TEAMS,

THIS 18TH DAY OF JANUARY 2024

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of:

Ogwel - Court Assistant

Mr. Ngiri for the Respondent

Applicant- Present in person



HON. LADY JUSTICE A. ONG'INJO
JUDGE

