



**Agwenyi v Republic (Criminal Revision 78 of 2024)  
[2024] KEHC 3653 (KLR) (4 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3653 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 78 OF 2024**

**DR KAVEDZA, J**

**APRIL 4, 2024**

**BETWEEN**

**SOSPETER MACHOKA AGWENYI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was sentenced to five (5) years imprisonment on 4/11/2022. He has only served one year and five months and is therefore not eligible for release.
2. The prisons officers are availing the wrong files for purposes of decongestion, thereby causing a backlog in this court. The request was for those inmates serving three (3) years and below, or those who have served long sentences but have got a balance of three years left.
3. Instead, the prisons have availed files that fall outside the aforementioned category.

Orders accordingly.

**RULING DELIVERED THIS DAY 4<sup>TH</sup> DAY OF APRIL 2024.**

**D. KAVEDZA**

**JUDGE**

