



**Masika v Republic (Criminal Revision E019 of 2024)
[2024] KEHC 3481 (KLR) (11 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3481 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E019 OF 2024
RN NYAKUNDI, J
APRIL 11, 2024**

BETWEEN

JOHN NANJALA MASIKA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged, tried, convicted and sentenced to 2 years imprisonment for the offence of burglary contrary to section 304(2) and stealing contrary to section 279(b) of the penal code.
2. The applicant has approached this court pursuant to sections 357,362,364& 382 of the Criminal Procedure Code as construed with Article 50(2)(p) &(q) as conjunctively read with Article 50(6)(a) &(b) of the Constitution.
3. The applicant seeks review of sentence. However, the sentence of 18 months has been served to completion. The applicant therefore should be released forthwith unless and otherwise lawfully held. The application is hereby marked as spent and the file be closed.
4. It is so ordered.

SIGNED, DATE AND DELIVERED AT ELDORET THIS 11TH DAY OF APRIL 2024.

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**R. NYAKUNDI
JUDGE**

