



REPUBLIC OF KENYA



**Momanyi v Republic (Criminal Revision E082 of 2024)
[2024] KEHC 6513 (KLR) (23 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6513 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E082 OF 2024**

WA OKWANY, J

MAY 23, 2024

BETWEEN

BONFACE MOMANYI APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates'
Court at Nyamira, Criminal Case No. MCCR 2109 of 2019
by Hon. C.W. Waswa, Resident Magistrate on 28th July 2021)*

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of assault causing actual bodily harm contrary to Section 251 of the *Penal Code*, Cap 63 Laws of Kenya. The trial court sentenced him to serve 5 year's imprisonment. The Applicant has served 2 years and 8 months of his sentence. The Sentence Review Report filed on 3rd April 2024 by the Probation Officer Samwel M. Chuma recommends a non-custodial sentence. I hereby review the sentence and direct that the Applicant serves a Community Service Order at Nyamira Law Courts under the supervision of the Court Administrator for three (3) months.

Orders accordingly.

DATED and DELIVERED at NYAMIRA on this 23rd day of MAY 2024.

W. A. OKWANY

JUDGE

