



**Mayunga v Republic (Criminal Revision E066 of 2024)
[2024] KEHC 6510 (KLR) (13 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6510 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E066 OF 2024**

WA OKWANY, J

MAY 13, 2024

BETWEEN

SALIM ONYIEGO MAYUNGA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Senior Principal
Magistrates' Court at Keroka, Criminal Case No. MCCR E871 of 2023
by Hon. C. Ombija, Senior Resident Magistrate on 6th December 2023)*

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of theft of farm produce contrary to Section 8 (1) of the [Stock Produce Theft Act](#) Cap 355 of the Laws of Kenya.
2. The trial court sentenced him to pay a fine of Kshs. 50,000/= or in default, to serve 1 year's imprisonment.
3. The Applicant has served 3 months of his sentence. The Sentence Review Report filed on 3rd April 2024 by the Probation Officer Nicholas Kibet recommends a non-custodial sentence.
4. I hereby direct that the Applicant serves a Community Service Order at the Kenya Forest Service - Borabu Sub-county under the supervision of the Officer In-charge, Mr. Julius Olpetai for the remainder of the sentence period.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 13TH DAY OF MAY 2024.

W. A. OKWANY

JUDGE

