



**Nyamwange v Republic (Criminal Revision E045 of 2024)
[2024] KEHC 6539 (KLR) (22 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6539 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E045 OF 2024
WA OKWANY, J
MAY 22, 2024**

BETWEEN

STEPHEN OBWANGI NYAMWANGE APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Senior Principal Magistrates' Court at Keroka, Criminal Case No. MCCR E1418 of 2021 by Hon. C. Ombija, Senior Resident Magistrate on 6th July 2023)

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of stealing contrary to Section 268 (1) as read with Section 275 of the *Penal Code* and handling stolen goods contrary to Section 322 (1) (2) of the *Penal Code*. The trial court sentenced him to serve five (5) years' imprisonment or in the alternative to pay a fine of Kshs. 1,000,000/= . The Applicant has served 8 months of his sentence. The Sentence Review Report filed on 3rd April 2024 by Probation Officer Daisy Lang'at recommends a non-custodial sentence. I hereby direct that the Applicant serve a Community Service Order at Ibeno Chief's Office under the supervision of Mr. Onuong'a for 6 months.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 22ND DAY OF MAY 2024.

W.A. OKWANY

JUDGE

