



**Bahati v Republic (Criminal Revision 33 of 2024)
[2024] KEHC 6863 (KLR) (10 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6863 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 33 OF 2024**

**DR KAVEDZA, J
JUNE 10, 2024**

BETWEEN

JOSEPH WAMBUA BAHATI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted for the offence of defilement contrary to section 8(1)(3) of the Sexual Offences Act No. 3 of 2006. He was sentenced to serve 14 years and 8 months. His appeal to this court was dismissed on 20th June 2018.
2. Being aggrieved, he filed the present application seeking sentence review. The grounds raised are that the trial court failed to consider his mitigation. He is a father of seven school going children in need of his care and protection. He is remorseful and prays for leniency.
3. I have considered the application, the affidavit in support and the applicable law. I have also perused the trial court file. I note that before sentencing, the trial court considered the applicant’s mitigation and time spent in remand custody.
4. For the foregoing reasons, I see no reason to interfere with the sentence imposed by the court. The application is dismissed for lacking in merit.

Orders accordingly.

Ruling dated and delivered virtually this 10th day of June 2024

D. KAVEDZA

JUDGE

