



REPUBLIC OF KENYA



KENYA LAW
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**Nyangeri v Republic (Criminal Revision E051 of 2024)
[2024] KEHC 7416 (KLR) (6 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7416 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E051 OF 2024
WA OKWANY, J
JUNE 6, 2024**

BETWEEN

KEVIN NYANGERI APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Senior Principal Magistrates' Court at Keroka, Criminal Case No. MCCR E847 of 2023 by Hon. M. Munyekenye, Senior Principal Magistrate on 15th December 2023)

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of threatening to kill contrary to Section 223 (1) of the *Penal Code* and malicious damage to property contrary to Section 339 (1) of the *Penal Code*. The trial court sentenced to serve 3 years imprisonment on the first count and 12 months imprisonment for the second count concurrently. The Applicant has already served two and a half (2½) months of his sentence. The Sentence Review Report filed on 3rd April 2024 by Probation Officer Peter Mogusu Ayienda does not recommend a non-custodial sentence. I hereby direct that the Applicant continues to serve his sentence in custody.

Orders accordingly.

DATE AND DELIVERED AT NYAMIRA ON THIS 6TH DAY OF JUNE 2024.

W.A. OKWANY

JUDGE

