



**Omari v Republic (Criminal Revision 69 of 2024)  
[2024] KEHC 6946 (KLR) (10 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6946 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 69 OF 2024**

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

**BETWEEN**

**JOSEPHAT ODARI OMARI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and convicted for the offence of attempted arson contrary to section 333 of the penal code. He was sentenced to serve seven (7) years imprisonment.
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. The court also considered the probation report which was not favourable.
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 10<sup>TH</sup> DAY OF JUNE 2024**

**D. KAVEDZA**

**JUDGE**

