



**Mwangi v Republic (Revision Case E005 of 2023)
[2024] KEHC 9402 (KLR) (22 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9402 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYERI
REVISION CASE E005 OF 2023
DKN MAGARE, J
JULY 22, 2024**

BETWEEN

MICHAEL KAARA MWANGI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This is an application for revision of the Judgment delivered on 13/6/2022 for breaking and stealing. The application is premised on Section 362 and 364 of the [Criminal Procedure Code](#).
2. The state submitted that the offence attracts a maximum of 7 years without an option of a fine. The guidelines provide for gravity of the offence.
3. Review is not interested on the length but on legality. The sentence is a proper one. If the Applicant felt a need to have the severity dealt with he should have appealed.
4. In the circumstances I make the following orders:-
 - a. The sentence is confirmed. The same remains from date of arrest pursuant to Section 332(2) of the CPC.

**DELIVERED, DATED AND SIGNED AT NYERI ON THIS 22ND DAY OF JULY, 2024. RULING
DELIVERED THROUGH MICROSOFT TEAMS ONLINE PLATFORM.**

KIZITO MAGARE

JUDGE

In the presence of:-

Mr. Mwakio for the State



No appearance for the Applicant

Court Assistant – Jedidah

