



REPUBLIC OF KENYA



**Otieno v Republic (Criminal Revision E140 of 2024)
[2024] KEHC 11203 (KLR) (24 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11203 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E140 OF 2024
RE ABURILI, J
SEPTEMBER 24, 2024**

BETWEEN

VINCENT OCHIENG OTIENO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Tamu Senior
Principal Magistrate Criminal Case No. 224 of 2018)*

RULING

1. The Applicant Vincent Ochieng Otieno is a convict vide Tamu SPM Criminal Case No 224 of 2018. He was sentenced to serve three (3) years imprisonment on 20th August 2018 for the offence of abduction.
2. In a different case before the same court, he was sentenced to serve 10 years' imprisonment on 8th August 2018 for the offence of rape contrary to Section 3(1) of the *Sexual Offences Act* vide Sexual Offences Case No 10 of 2018.
3. He now seeks that the period served in remand custody be considered.
4. I have considered the application. There is no evidence availed on the period spent in remand custody prior to the two convictions and sentences.
5. I find the application to be devoid of any material. It is dismissed. File closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 24TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

