



**Osogo v Republic (Criminal Revision E059 of 2024)
[2024] KEHC 10940 (KLR) (17 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 10940 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E059 OF 2024
DR KAVEDZA, J
SEPTEMBER 17, 2024**

BETWEEN

DIANA ODITSA OSOGO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was brought before me for the decongestion exercise pursuant to the Chief Justice’s memo dated 7/12/2022, which provides that inmates who are serving three (3) years imprisonment or less, or those serving long sentences but have a balance of three (3) years or less may be considered for non-custodial sentences.
2. I have gone through the file and noted that applicant was convicted by the trial court for the offence of stealing contrary to section 268(1) as read with 275 of the *Penal Code*. She was sentenced to serve one-year imprisonment.
3. According to the Letter from Prison dated 7th August 2024, the applicant has four months left to complete her sentence.
4. A probation report was also filed with respect to the applicant. According to the said report, the applicant has been receptive to rehabilitation while in prison and she is remorseful about committing the offence.
5. The findings in the probation report are in favour of the applicant and I accordingly find that she is eligible for a non-custodial sentence.
6. I therefore order that the applicant be placed on community service for four (4) months at Wandia Primary School, under the supervision of the officer in charge, Kiambu Probation Station.
7. File closed.



Orders accordingly.

RULING DELIVERED THIS 17TH DAY OF SEPTEMBER 2024.

D. KAVEDZA

JUDGE

