



**Kebati v Republic (Miscellaneous Criminal Application E208 of 2024)
[2024] KEHC 12345 (KLR) (15 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12345 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E208 OF 2024
RE ABURILI, J
OCTOBER 15, 2024**

BETWEEN

DENNIS OMBESE KEBATI APPLICANT

AND

REPUBLIC RESPONDENT

(From the original conviction and sentence in Kisumu High Court Criminal Case No. 27 of 2015)

RULING

1. The applicant was convicted and sentenced to death on 24th July 2017 for the offence of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#).
2. He claims that he was resented on 27th November 2018 to serve 20 years' imprisonment and now wants the 2 years and 10 months spent in custody considered.
3. There are no proceedings annexed to support the claim. Furthermore, the Applicant benefited from a less severe sentence by escaping the hangman's noose.
4. I find no substance in the application dated 4th October 2024 which is hereby dismissed.
5. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 15TH DAY OF OCTOBER, 2024

R. E. ABURILI

JUDGE

