



**Masaka v Republic (Criminal Revision 250 of 2024)
[2024] KEHC 12167 (KLR) (14 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12167 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 250 OF 2024
DR KAVEDZA, J
OCTOBER 14, 2024**

BETWEEN

JOSEPH MUTUKU MASAKA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for the offence of dealing in wildlife trophy contrary to section 95 as read with section 105 of the *Wildlife Conservation and Management Act, 2013*. He was sentenced to 5 years imprisonment or in the alternative to pay a fine of Kshs. 1,000,000
2. He has filed the present application dated 28th August 2024 seeking revision of sentence. The grounds raised are that he has served a substantial term of his sentence. He is remorseful for the offence committed. He has undergone rehabilitation. He urged the court to revise the sentence of the trial court to a non-custodial sentence.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant’s mitigation, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality. The sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court.
5. The application dismissed for lacking in merit.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 14TH OCTOBER 2024

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D. KAVEDZA
JUDGE

