



REPUBLIC OF KENYA



**KENYA LAW**  
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**Obol v Republic (Criminal Revision E001 of 2023)  
[2023] KEHC 37 (KLR) (16 January 2023) (Ruling)**

Neutral citation: [2023] KEHC 37 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
CRIMINAL REVISION E001 OF 2023  
RE ABURILI, J  
JANUARY 16, 2023**

**BETWEEN**

**GEORGE OTIENO OBOL ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an Application for sentence revision arising from conviction and sentence in Bondo PM's SO No. 37 of 2017 delivered by Hon. M. Obiero, Principal Magistrate on 15.02.2018 AND in Siaya HCCRA No. 16 of 2018 by Hon. R.E. Aburili, J)*

**RULING**

1. The applicant George Otieno Obol was convicted and sentenced to serve the mandatory 10 years imprisonment for the offence of committing an indecent act with a child contrary to Section 11(1) of the [Sexual Offences Act](#).
2. He was acquitted of the main charge of defilement contrary to Section 8(1) as read with Section (3) of the [Sexual Offences Act](#). He appealed to this court *vide* HCRA 37/2017 which appeal was heard on merit.
3. The appeal against conviction was dismissed whereas the appeal against sentence was allowed.
4. The court reduced the mandatory 10 year prison term to eight (8) imprisonment to be calculated from 30/8/2017 the date of his arrest.
5. The applicant has filed for revision of that sentence. I have considered the application and the offence committed.
6. This court already reduced the ten year prison term to 8 years imprisonment and although he has served 5 years thereof, I find no reason to revise that sentence further.



7. I decline to revise the sentence and dismiss the application for sentence revision.
8. File closed.
9. I so order.

**Dated, signed and Delivered at Siaya this 16<sup>th</sup> Day of January, 2023**

**R.E. ABURILI**

**JUDGE**

