



**Oweke v Republic (Miscellaneous Criminal Application
E088 of 2022) [2023] KEHC 2794 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2794 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E088 OF 2022**

**RE ABURILI, J
MARCH 24, 2023**

BETWEEN

PATRICK OWINO OWEKE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant herein Patrick Owino Oweke by his application filed on August 24, 2022 seeks for orders that the court does consider the period of three (3) years spent in custody in computing the ten (10) years imprisonment sentence imposed on him on June 9, 2022 for the offence of Manslaughter in High Court Criminal Case No 05 of 2019.
2. The application is pursuant to the provisions of Section 333(2) of the *Criminal Procedure Code*.
3. I have considered the application. The Applicant does not disclose when he was arrested and no court proceedings are annexed for this court to establish whether the Applicant/Convict was released on bond pending trial.
4. I find the application devoid of material for consideration. It is hereby dismissed.
5. The convict can file a fresh application with full disclosures and material for consideration on merit.
6. Order/signal to issue.
7. File closed.
8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 24TH DAY OF MARCH, 2023

R E ABURILI



JUDGE

