



**Juma v Republic (Miscellaneous Criminal Application  
E016 of 2023) [2023] KEHC 3143 (KLR) (12 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3143 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CRIMINAL APPLICATION E016 OF 2023**

**RE ABURILI, J  
APRIL 12, 2023**

**BETWEEN**

**JOSEPH ORINDA JUMA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant is Joseph Orinda Juma. He seeks vide his application dated and filed on 28<sup>th</sup> March 2023 that he be allowed to serve the remaining term of his sentence under probation.
2. From the Warrant of commitment to prison dated 10<sup>th</sup> December 2021 vide Kisumu Chief Magistrate Criminal Case No 330 of 2020, he was sentenced to pay various fines in three counts of causing death by dangerous driving and driving an un roadworthy Motor Vehicle.
3. In default, he was to serve twelve (12) months imprisonment and six (6) months imprisonment respectively. Three lives were lost by dangerous driving of the convict herein.
4. The Warrant of committal does not indicate whether the sentences were to run concurrently or consecutively. However, as the Convict is still in prison, it can only be presumed that sentences were to run consecutively, as his affidavit says so.
5. I find no merit in the application for sentence review. The same is hereby dismissed.
6. The Convict to serve full consecutive sentences imposed.
7. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 12<sup>TH</sup> DAY OF APRIL, 2023**

**R. E. ABURILI  
JUDGE**

