



**Apielo v Republic (Criminal Revision E094 of 2023)
[2023] KEHC 20470 (KLR) (18 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20470 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E094 OF 2023
WA OKWANY, J
JULY 18, 2023**

BETWEEN

APIELO MOSES APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Magistrates' Court at Keroka, Criminal Case No. 784 of 2022 by Hon. C. Ombija, Senior Resident Magistrate on April 3, 2023)

RULING

1. The applicant was convicted on his own plea of guilty of the offence of assault causing actual bodily harm contrary to section 251 of the [Penal Code](#), Cap 63 Laws of Kenya. The trial court sentenced him to pay a fine of Kshs 50,000/= or in default, to serve 1 year imprisonment. The Applicant has already served 4 months in custody. The Sentence Review Report filed on July 5, 2023 by Probation Officer Daisy Lang'at recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at Gesima Chief's Office under the supervision of Mr Ogeto Onsongo for the remaining part of the sentence being 6 months.
2. Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 18TH DAY OF JULY 2023.

**W.A. OKWANY
JUDGE**

