



REPUBLIC OF KENYA



**Mokua v Republic (Criminal Revision E027 of 2023)
[2023] KEHC 20483 (KLR) (18 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20483 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E027 OF 2023**

**WA OKWANY, J
JULY 18, 2023**

BETWEEN

STEPHEN MOKUA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates' Court at Nyamira,
Criminal Case No. E093 of 2023 by Hon. B. Okong'o, Resident Magistrate on 4th April 2023)*

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of assault causing actual bodily harm contrary to section 251 of the [Penal Code](#), stealing contrary to section 268 (1) as read with section 275 of the Penal Code and handling stolen goods contrary to section 322 (1) and (2) of the Penal Code. The trial court sentenced him to pay a fine of Kshs 10,000/= and compensate the complainant in the sum of Kshs 1,000/= or in default, to serve 7 months' imprisonment. The Applicant has already served 3 months in custody. The Sentence Review Report filed on July 5, 2023 by the Probation Officer Edwin Kimaiyo recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at Manga Children Remand Home under the supervision of Madam Christine for the remaining part of the sentence.

Orders accordingly.

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

W.A. OKWANY

JUDGE

