



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**Ongaki v Republic (Criminal Revision E044 of 2023)
[2023] KEHC 20297 (KLR) (18 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20297 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E044 OF 2023**

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

BETWEEN

EVANS ARUMBA ONGAKI APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Magistrates' Court at Keroka, Criminal Case No. E292 of 2021 by Hon. B.M. Kimutai, Principal Magistrate on 24th February 2022)

RULING

1. The Applicant was convicted of the offence of stealing stock contrary to section 278 of the [Penal Code](#). The trial court sentenced him to serve 3 years imprisonment. The Applicant has already served 1 year 4 months in custody. The Sentence Review Report filed on July 5, 2023 by the Probation Officer Daisy Lang'at recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at Sosera Primary School under the supervision of the school Headteacher for a period of 6 months.
2. Orders accordingly.

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

W.A. OKWANY

JUDGE

