



REPUBLIC OF KENYA



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

**Biko v Republic (Criminal Revision E046 of 2023)  
[2023] KEHC 27482 (KLR) (19 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 27482 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E046 OF 2023  
MS SHARIFF, J  
OCTOBER 19, 2023**

**BETWEEN**

**DENIS OMONDI STEVE BIKO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant Denis Omondi Steve Biko was charged and convicted of the offence of assault causing actual bodily harm contrary to Section 251 of the *Penal Code* in Kisumu CM's Cr. Case No. E178 of 2021. He was sentenced on 16<sup>th</sup> November, 2022 to imprisonment for a period of 18 months. He now applies for review of his sentence under the provisions of the Community Service Order.
2. I have perused the sentence review report dated 15<sup>th</sup> August, 2023 by Probation Officer, Kisumu and I find that the same is unfavourable to the Applicant. I thus order that the Applicant continues serving his sentence in custody.
4. File closed.

**DELIVERED, SIGNED AND DATED AT KISUMU THIS 19<sup>TH</sup> DAY OF OCTOBER, 2023.**

**MWANAISHA S. SHARIFF**

**JUDGE**

