



**Gayo alias Junior v Republic (Criminal Revision E042 of 2023)
[2023] KEHC 27474 (KLR) (17 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 27474 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E042 OF 2023
MS SHARIFF, J
OCTOBER 17, 2023**

BETWEEN

ROBERT OWINO GAYO ALIAS JUNIOR APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant herein was charged and convicted of the offence of breaking into a building and committing a felony contrary to Section 306(a) of the [Penal Code](#) on 4th April, 2022. He was sentenced to serve 4 years imprisonment. Prior to his conviction the Applicant had been in remand for a period of 5 months. So far the Applicant has served a period of 1 year and 6 months of his sentence. The Applicant now seeks a review of his sentence.
2. I have considered the sentence review report filed herein on 23rd August, 2023 by the Kisumu West Sub-County Probation Officer one Caroline Oliech which is favourable to the Applicant and having taken into account the sentence period so far served and the remand period which cumulatively amounts to 2 years, 1 month and 13 days I do hereby review the Applicant's sentence and I thus make a Community Service Order pursuant to the provisions of Section 3 of the [Community Service Order](#) No. 8 of 2018 and I hereby assign the Applicant community service duties at Maseno Law Courts for a period of 8 months. The head of station Maseno Law Courts to supervise the Applicant during that period.

DELIVERED, SIGNED AND DATED AT KISUMU THIS 17TH DAY OF OCTOBER, 2023.

MWANAISHA S. SHARIFF

JUDGE

