



**Langat alias Robert Langat v Republic (Criminal Revision  
E050 of 2023) [2023] KEHC 23801 (KLR) (19 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 23801 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KERICHO  
CRIMINAL REVISION E050 OF 2023  
JK SERGON, J  
OCTOBER 19, 2023**

**BETWEEN**

**WILLIAM KIPRONO LANGAT ALIAS ROBERT LANGAT ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. William Kiprono Langat alias Robert Langat hereinafter referred to as the applicant was convicted of the offence of gang rape contrary to section 10 of the *Sexual Offences Act* No. 3 of 2006.
2. On November 29, 2019, Hon BR Kipyegon, the then learned Senior Resident Magistrate sentenced the applicant to serve ten (10) years imprisonment.
3. On October 14, 2022 following an application by the applicant seeking to have the court include the period he was in remand in the sentence meted out by the trial court pursuant to section 333(2) of the *Criminal Procedure Code* CAP 75 Laws of Kenya, this court directed that the sentence of ten (10) years should start to run from October 29, 2018 when he was first arraigned in court and not November 29, 2019 when he was sentenced.
4. The proceedings relating to the aforesaid case, that is Kericho CMC SO Case No. 73 of 2018 Republic- vs- William Kiprono Langat alias Robert Langat were placed before this Court pursuant to the provisions of section 362 and 364 of the Criminal Procedure Code.
5. The Probation Officer filed a sentence review report on July 24, 2023. In the said report it was noted that the applicant is remorseful. The prison authorities were of the view that the applicant had reformed. The applicant had no disciplinary issues and they therefore recommended his release. The applicant was attached to the prison's main farm and the industry section and gained skills in carpentry.



6. The probation officer noted that the applicant has a fixed place of abode within [Particulars Withheld] village of Bureti Sub – County. She further noted that the current home environment was favourable for rehabilitation. The family members were receptive and willing to support him. The family of members of the victim were hesitant to give their input on the issue, however, the victim is now married and has already settled in her matrimonial home. The local administration was receptive towards a non-custodial sentence.
7. The probation officer was of the view that given the gravity of the offence a deterrent sentence was imperative and therefore recommended that the court should exercise its discretion.
8. I have already stated the sentence pronounced by the then learned Senior Resident Magistrate. The applicant has so far served four (4) years and nine (9) months and is remaining with four (4) years and three (3) months to complete his sentence.
9. Having considered the findings of the sentence review report and the gravity of the offence herein, I do not find it appropriate to interfere with the sentence in exercise of this court’s supervisory power of revision. The applicant should therefore serve the remaining part of his sentence in custody.

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

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**J.K. SERGON**

**JUDGE**

