



REPUBLIC OF KENYA



KENYA LAW
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**Langat v Republic (Criminal Revision E014 of 2023)
[2023] KEHC 23804 (KLR) (19 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 23804 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL REVISION E014 OF 2023
JK SERGON, J
OCTOBER 19, 2023**

BETWEEN

WILBERFORCE CHERUIYOT LANGAT APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. Wilberforce Cheruiyot Langat, hereinafter referred to as the Applicant was convicted of the offence of defilement contrary to section 8 (1) as read with section 8 (4) of the *Sexual Offences Act* No 3 of 2006.
2. On October 26, 2022, Hon. Aziza Ajwang, the Learned Senior Resident Magistrate sentenced the Applicant to serve two (2) years imprisonment.
3. The proceedings relating to the aforesaid case, that is Kericho CM SO Case No 69 of 2020 Republic v Wilberforce Cheruiyot Langat were placed before this Court pursuant to the provisions of section 362 and 364 of the *Criminal Procedure Code*.
4. The Probation Officer filed a sentence review report on July 24, 2023. In the said report it was noted that the Applicant had reformed and has acquired certification on Bible correspondence and peer counselling. The prison authorities were of the view that the applicant was suitable for release. The Applicant while under incarceration was attached to the prison's documentation section and was involved in cleaning the office, assisting in typing of submissions and filing of records. The probation officer also noted that the applicant has a fixed place of abode and that the current home environment was suitable for his release as the victim has since moved on with her life and the family members and the local administration were receptive and willing to accord him the necessary support for his reintegration. The probation officer therefore recommended that the applicant completes the remaining term of his sentence on Community Service Order (CSO).



5. The Applicant has so far served nine (9) months and is remaining with fifteen (15) months to complete his sentence.
6. Having considered the fact that the sentence review report is favourable, I hereby order that the Applicant be set free from prison and ordered to serve the remainder of his sentence ie fifteen (15) months under Community Service Order (CSO) at Kaptalamwa Assistant Chief's Office, under the supervision of Winny Kosgei, who is the Area Assistant Chief.

DATED, SIGNED AND DELIVERED THIS 19TH DAY OF OCTOBER, 2023.

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J.K. SERGON

JUDGE

