



REPUBLIC OF KENYA



KENYA LAW
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**Musonye v Republic (DPP) (Miscellaneous Criminal Application
E038 of 2023) [2023] KEHC 24049 (KLR) (24 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 24049 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
MISCELLANEOUS CRIMINAL APPLICATION E038 OF 2023**

PJO OTIENO, J

OCTOBER 24, 2023

BETWEEN

JACKSON MUSILA MUSONYE APPLICANT

AND

REPUBLIC (DPP) RESPONDENT

RULING

1. The applicant seeks the court to revise his sentence of fifteen (15) years imposed by the High Court in Kakamega HCCR. Appeal on 2.9.2019.
2. That was a sentence by a court of concurrent jurisdiction exercising appellate jurisdiction. This court has no jurisdiction to revisit such a Judgment because it is functus officio.
3. Let the court file be closed.

DATED, SIGNED AND DELIVERED AT KAKAMEGA, THIS 24TH DAY OF OCTOBER 2023.

PATRICK J. O. OTIENO

JUDGE

