



Otieno alias Aganyo v Republic (Criminal Miscellaneous Application E100 of 2022) [2024] KEHC 13374 (KLR) (22 October 2024) (Ruling)

Neutral citation: [2024] KEHC 13374 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL MISCELLANEOUS APPLICATION E100 OF 2022
RE ABURILI, J
OCTOBER 22, 2024**

BETWEEN

ERICK OTIENO ALIAS AGANYO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant Erick Otieno Ojat alias Aganyo is a convict in Siaya HCCR Case No. E010/2020 which he was charged with the offence of murder contrary to Section 203 as read with Section 204 of the *Penal Code* vide information dated 1/12/2020. He was convicted of manslaughter contrary to Section 202 as read with Section 205 of the Penal Code after a plea bargain and sentenced to serve 20 years on 26/10/2021.
2. The convict now applies for sentence review.
3. I have considered the application dated 2/10/2023 grounds and supporting affidavit.
4. I find no jurisdiction to sit on appeal of a High Court decision noting that the applicant faced life imprisonment taking into account the aggravating circumstances under which he killed the deceased.
5. The application for sentence review is dismissed. This file is closed.

RULING DATED, SIGNED AND DELIVERED THIS 22ND DAY OF OCTOBER, 2024

R. E. ABURILI

JUDGE

