



**Owino v Republic (Miscellaneous Criminal Application E029 of 2023)
[2024] KEHC 13280 (KLR) (22 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13280 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E029 OF 2023
RE ABURILI, J
OCTOBER 22, 2024**

BETWEEN

NAAMAN AILA OWINO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant Naaman Aila Owino was convicted vide Bondo PM Cr Case no E151/2022 of the offence of Stealing contrary to Section 278 of the [Penal Code](#) and on his own plea of guilty. He was sentenced to serve three (3) years imprisonment on 30/3/2022 and as at that date, he was reportedly serving another sentence in prison hence non-custodial sentence was not suitable for him.
2. It is also important to note that *vide* Cr Case no E159/2022, he was convicted of escape from lawful custody and sentenced to serve one year imprisonment on 25/3/2022.
3. The applicant now applies that the sentences should run concurrently.
4. I have considered the application dated 1/3/2023 and find no merit in it as the offences were committed at different times.
5. The application dated 1/3/2023 is dismissed. This file is closed.

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

R. E. ABURILI

JUDGE

