



**Oseko v Republic (Revision Case E0145 of 2024)
[2024] KEHC 12757 (KLR) (17 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12757 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
REVISION CASE E0145 OF 2024
WA OKWANY, J
OCTOBER 17, 2024**

BETWEEN

DOMINIC NYAMBERI OSEKO APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Chief Magistrates' Court at Nyamira, Criminal Case No. E397 of 2018 by Hon. W.K. Chepseba, Chief Magistrate on 27th April 2023)

RULING

1. The Applicant was convicted for the offence of stealing contrary to 279(b) of the [Penal Code](#) and sentenced to serve 3 years' imprisonment. The Sentence Review Report filed by the Probation Officer Mr. Dickson Kairu on 13th June 2023 indicates that the Applicant has, as at the date of the Report, served 4 months in prison. This matter was listed under the decongestion programme and the Probation Officer recommends a non-custodial sentence. I therefore direct that the Applicant shall serve a Community Service Order at Nyainobu Primary School under the supervision of the school Head teacher for the remaining part of his sentence.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 17TH OCTOBER DAY OF OCTOBER 2024.

W. A. OKWANY

JUDGE

