



Bunyori alias Waingo v Republic (Miscellaneous Application E164 of 2024) [2024] KEHC 14474 (KLR) (18 November 2024) (Ruling)

Neutral citation: [2024] KEHC 14474 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS APPLICATION E164 OF 2024**

**DR KAVEDZA, J
NOVEMBER 18, 2024**

BETWEEN

HUMPHREY BUNYORI ALIAS WAINGO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted for the offence of defilement contrary to section 8(1) as read with section 8(2) of the [Sexual Offenses Act](#) No. 3 of 2006. He was sentenced to twenty-five (25) years imprisonment.
2. He has filed the present application on 9th July 2024 seeking revision of sentence imposed. The grounds raised are that he has an equal right and benefit under the law to have his sentence reduced in light of his mitigation.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant’s mitigation, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality, it is my finding that the sentence imposed was legal in the circumstances.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court. The application is dismissed for lacking in merit.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 18TH NOVEMBER 2024

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D. KAVEDZA



JUDGE

