



Longelech v Republic (Miscellaneous Criminal Application E010 of 2024) [2024] KEHC 15389 (KLR) (13 November 2024) (Ruling)

Neutral citation: [2024] KEHC 15389 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
MISCELLANEOUS CRIMINAL APPLICATION E010 OF 2024**

**RPV WENDOH, J
NOVEMBER 13, 2024**

BETWEEN

BENSON LONGELECH APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant herein, Benson Longelech has filed an undated application seeking revision of his sentence to include the period he spent in remand before sentence pursuant to section 333(2) of the [CPC](#).
2. Mr. Majale, Prosecution Counsel opposed the application for reason that the case was heard by a Court of concurrent jurisdiction and if aggrieved, the applicant should proceed to Court of Appeal for redress.
3. I concur with defence Counsel submissions. The applicant appealed to this court in CRA E020/2021 and on 13/9/2023, Justice Mrima rendered his judgment dismissing the appeal. If the appellant was aggrieved by the failure by the trial court to consider the period he spent in remand, he should have addressed that issue in the appeal. He cannot come back to this court on review. If still aggrieved, the applicant should approach the Court of Appeal for redress. The application is an abuse of the court process and is hereby dismissed.

File closed.

DELIVERED, DATED AND SIGNED AT KAPENGURIA THIS 13TH DAY OF NOVEMBER, 2024

R. WENDOH.

JUDGE

Ruling delivered in the presence of:-



Mr. Majale for State – present

Applicant – present

Court Assistants – Juma /Hellen

