



**Ogola v Republic (Miscellaneous Criminal Application E124 of 2024)
[2024] KEHC 14468 (KLR) (19 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 14468 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
MISCELLANEOUS CRIMINAL APPLICATION E124 OF 2024**

**DR KAVEDZA, J
NOVEMBER 19, 2024**

BETWEEN

MICHAEL ODHIAMBO OGOLA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted of three counts of the offence of robbery with violence contrary to section 296(2) of the *Penal Code*. He was sentenced to twenty (20) years imprisonment.
2. He has filed the present application received on 19th August, 2024 seeking revision of sentence. The grounds raised are that he the time he spent in remand were not factored in, both at the trial court and by this court on appeal.
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, and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality, the sentence imposed was also legal in the circumstances of the case.
4. In addition, the judgement of this court delivered on 22nd February 2024, clearly indicated that the sentence shall run from the date of conviction. In the premises, the application dismissed for lacking in merit.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 19TH NOVEMBER 2024

D. KAVEDZA



JUDGE

