



**State v Wanyama (Criminal Petition E004 of 2023)
[2024] KEHC 14423 (KLR) (19 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 14423 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
CRIMINAL PETITION E004 OF 2023
RPV WENDOH, J
NOVEMBER 19, 2024**

BETWEEN

STATE RESPONDENT

AND

ERANTUS WANYONYI WANYAMA APPELLANT

RULING

1. The Applicant Erantus Wanyonyi Wanyama, filed this application dated 29/8/2023 seeking revision of his sentence under section 233(2) of the [CPC](#).
2. The prosecution counsel Mr. Majale opposed the application and submitted that the Applicant's appeal was dismissed by this court and he has a pending appeal in the Court of Appeal which he should pursue.
3. The Applicant admitted that he raised the issue of revising his sentence before J. Mrima but the Judge dismissed it. He cannot therefore come back to this court with the same application for review.
4. The Applicant has a pending Appeal before the Court of Appeal which he should pursue. This application is an abuse of the court process and is hereby dismissed.

DELIVERED, DATED AND SIGNED AT KAPENGURIA THIS 19TH DAY OF NOVEMBER, 2024.

R. WENDOH

JUDGE

Ruling delivered in open Court and in the presence of:

State Counsel: Mr. Majale

Court Assistant: Juma/Hellen



Appellant: Virtual

