



REPUBLIC OF KENYA



**KENYA LAW**  
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**Wanyama v State (Criminal Petition E004 of 2023)  
[2024] KEHC 15419 (KLR) (19 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 15419 (KLR)

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

**BETWEEN**

**ERANTUS WANYONYI WANYAMA ..... APPLICANT**

**AND**

**STATE ..... RESPONDENT**

**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 19<sup>TH</sup> 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

