



Zem v Republic (Petition E096 of 2024) [2024] KEHC 13530 (KLR) (4 November 2024) (Ruling)

Neutral citation: [2024] KEHC 13530 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VOI
PETITION E096 OF 2024
AN ONGERI, J
NOVEMBER 4, 2024**

BETWEEN

APENETO ELIAS ZEM APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant filed an application seeking the inclusion of the period he was in custody in the computation of his sentence. The application is undated but filed on 12th April, 2024.
2. A brief history of the case is that the Applicant was sentenced to life imprisonment on 28th February, 2020 for the offence of manslaughter.
3. The Applicant preferred an appeal against the sentence and the appeal was heard and dismissed on 14th July, 2023.
4. The High Court on appeal reduced the life sentence to 15 years imprisonment to be computed from the date of the sentence.
5. The application seeking inclusion of the period the Applicant was held in custody in the computation of the sentence has merit.
6. The same is allowed and the computation of the 15 years imprisonment will now start from 2nd November, 2018 when he was arrested and not from 28th January, 2020 when he was sentenced to life imprisonment.

Orders to issue accordingly.

DATED, SIGNED AND DELIVERED THIS 4TH DAY OF NOVEMBER 2024 IN OPEN COURT AT VOI.

LADY JUSTICE ASENATH ONGERI



JUDGE

In the presence of:-

Maina/Trizah – Court Assistants

Mr. Sirima for the Respondent

The Applicant in person

