



**Awidhi v Republic (Miscellaneous Criminal Application E074 of 2024)
[2024] KEHC 15498 (KLR) (4 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15498 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MIGORI
MISCELLANEOUS CRIMINAL APPLICATION E074 OF 2024**

**A. ONG'INJO, J
DECEMBER 4, 2024**

BETWEEN

KEVIN OTIENO AWIDHI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant seeks that the period he took in remand custody be factored in his sentence of 30 years.
2. He claimed that he was arrested on 15.2.2018 and remained in custody upto 5th October 2022 when he was sentenced. The release order for the Applicant found in the records of the trial court it was issued on dated 5th July 2018 when his nephew Moris Ouma, stood surety for him. He is therefore entitled to 4 months which should be factored in his sentence of 30 years and not 4 years as alleged.
3. The Applicant's appeal is also pending in the Court Appeal and he should be able to canvass the issue of review of his sentence therein.

DELIVERED DATED AND SIGNED AT MIGORI THIS 4TH DAY OF DECEMBER, 2024.

.....

A. ONG'INJO

JUDGE

Judgment delivered in the presence of

Mr.Oimbo for Respondent

No appearance for Appellant – Held in Naivasha

Lola – Court Assistant

