



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Maina v Republic (Criminal Revision E205 of 2024)
[2024] KEHC 16524 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16524 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E205 OF 2024
RE ABURILI, J
DECEMBER 2, 2024**

BETWEEN

ALLAN OTIENO MAINA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Tamu Senior
Principal Magistrate Criminal Case No. E164 of 2024)*

RULING

1. On 3rd June 2024, the convict Allan Otieno Maina was sentenced to serve 2 years' imprisonment for the offence of assault causing actual bodily harm. He pleaded guilty to the charge.
2. The presentence report recommended 6 months' community service. The convict was a first offender and the area administrators were ready to held in the reconciliation.
3. The offender has served 6 months of the 2 years' imprisonment. he is 33 years old and the victim was his wife who only expected the offender to apologise and stop consuming excessive alcohol. The offender has served six (6) months imprisonment.
4. In the spirit of prison decongestion, he is hereby released to serve on probation for the remainder 1 year and 5 months at Tamu and not to breach probationary terms.
5. Signal to issue.
6. File closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 2ND DAY OF DECEMBER, 2024

R. E. ABURILI



JUDGE

