



**Obiayo v Republic (Criminal Revision 280 of 2024)
[2024] KEHC 15184 (KLR) (3 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15184 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 280 OF 2024
DR KAVEDZA, J
DECEMBER 3, 2024**

BETWEEN

BRUCE OMONDI OBIAYO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and after a full trial convicted of the offence of dealing with a wildlife trophy relating to an endangered or threatened species, without a permit or other lawful exemption, contrary to section 95 of the *Wildlife Conservation and Management Act* 2013. He was sentenced to seven (7) years imprisonment.
2. He has filed the present application which was received on 31st October 2024 seeking revision of sentence imposed. The grounds raised are consolidated as follows; that the trial court failed to consider the time spent in custody.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant's mitigation, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality, it is my finding that the sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court.
5. The application dismissed for lacking in merit.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 3RD DAY OF DECEMBER 2024

D. KAVEDZA



JUDGE

