



REPUBLIC OF KENYA



**KENYA LAW**  
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**Ochieng v Republic (Criminal Revision E216 of 2024)  
[2024] KEHC 16548 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16548 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E216 OF 2024  
RE ABURILI, J  
DECEMBER 2, 2024**

**BETWEEN**

**ELVIS OMONDI OCHIENG ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Nyando Senior  
Principal Magistrate's Court Criminal Case No. E538 of 2023)*

**RULING**

1. The convict Elvis Omondi Ochieng is a recidivist of theft cases, according to the presentence review report.
2. Sentence Review is declined. He shall serve full prison terms imposed as the presentence report paints him as a notorious thief and flight risk who cannot perform non-custodial sentence. Only Prison will rehabilitate him.
3. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 2<sup>ND</sup> DAY OF DECEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

