



REPUBLIC OF KENYA



**Ochieng v Republic (Criminal Revision E220 of 2024)  
[2024] KEHC 16542 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16542 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E220 OF 2024  
RE ABURILI, J  
DECEMBER 2, 2024**

**BETWEEN**

**WALTER OCHIENG ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Winam Senior  
Principal Magistrate's Court Criminal Case No. E412 of 2023)*

**RULING**

1. The convict is Walter Ochieng. He was sentenced to serve 18 months imprisonment in default of a fine of Kshs 30,000 for assaulting his own father. He has served 5<sup>1</sup>/<sub>2</sub> months of the 18 months' imprisonment.
2. The presentence report filed shows him as a drug and alcohol abuser who is carefree and does not show remorse but bitterness for being arrested yet his father only questioned why the offender had demolished his house. The offender threatened to revenge against his family members.
3. He shall serve atleast 1 year in prison before he can be considered for non-custodial after a report on his rehabilitation status is filed into court.
4. I decline to revise sentence. File closed.

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

**R. E. ABURILI**

**JUDGE**

