



**Ouma v Republic (Criminal Revision E198 of 2024)  
[2024] KEHC 16579 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16579 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E198 OF 2024  
RE ABURILI, J  
DECEMBER 2, 2024**

**BETWEEN**

**CHARLES DAVIS OUMA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Nyando Senior  
Principal Magistrate Criminal Case No. E292 of 2024)*

**RULING**

1. On 23<sup>rd</sup> April 2024, the offender Charles Davis Ouma was sentenced to serve one (1) year imprisonment for the offence of stealing contrary to Section 286(1) as read with Section 275 of the [Penal Code](#).
2. He pleaded guilty to the charge. The complainant is his own mother.
3. A presentence report was filed, not recommending non custodial sentence because the offender is a member of a criminal gang terrorising the community and the threatened to rape and kill his own mother. He has now served 7 months of the one (1) year imprisonment.
4. In the spirit of prison decongestion and considering his mitigation he is hereby placed on Probation for the next 6 months at Nyando for supervision and should he breach probationary terms, he shall be returned to prison to complete sentence.
5. Signal to issue. File closed.

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

**R. E. ABURILI**

**JUDGE**

