



REPUBLIC OF KENYA



**Owara v Republic (Criminal Revision E236 of 2024)
[2024] KEHC 16591 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16591 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E236 OF 2024
RE ABURILI, J
DECEMBER 2, 2024**

BETWEEN

BRIAN OKOTH OWARA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Kisumu
Chief Magistrate's Court Criminal Case No. E396 of 2023)*

RULING

1. The convict Brian Okoth Owara was sentenced to serve 2 years' imprisonment on 11th November 2023 for the offence of threatening to kill. He pleaded not guilty. He has been in prison for 1 year and the sentence review report is positive on his character and reintegration with the community. His step mother and sister are willing to support him. He has undergone some rehabilitation programmes in prison. Non custodial sentence is recommended.
2. I have considered the presentence review report. I hereby resentence the convict Brian Okoth Owara for the period served in prison.
3. Unless otherwise lawfully held, he shall be set at liberty forthwith and warned not to reoffend.
4. Signal to issue. File closed.

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

R. E. ABURILI

JUDGE

