



**Wambua v Republic (Criminal Revision 231 of 2024)
[2024] KEHC 15706 (KLR) (13 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15706 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 231 OF 2024
DR KAVEDZA, J
DECEMBER 13, 2024**

BETWEEN

BERNARD WAMBUA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file was opened for purposes of considering whether the convict Bernard Wambua is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7th December 2022.
2. The applicant was convicted for the offence of defilement contrary to section 8(1) as read with section 8(3) of the *Sexual Offences Act* No 3 of 2006. He was sentenced to six (6) years imprisonment.
3. The applicant has served three (3) years ten (10) months on his sentence.
4. Having considered the application in its totality, I note that before sentencing, the trial court called for and considered the pre-sentencing report. The sentence imposed was also legal and proper in the circumstances.
5. In my view that the applicant is not suitable for early release. The applicant is directed to serve the remainder of his sentence.

Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 13TH DAY OF DECEMBER 2024

D. KAVEDZA

JUDGE

