



**Wandera v Republic (Criminal Revision 304 of 2024)  
[2024] KEHC 15732 (KLR) (13 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15732 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 304 OF 2024  
DR KAVEDZA, J  
DECEMBER 13, 2024**

**BETWEEN**

**POLYCAP WANDERA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file was opened for purposes of considering whether the convict Polycap Wandera is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7<sup>th</sup> December 2022.
2. The applicant was convicted on the offence of stealing contrary to section 268(1) as read with section 275 of the Penal Code. He was sentenced to serve two (2) years imprisonment.
3. According to the Recommendation letter from prison dated 17<sup>th</sup> October 2024 on record, the applicant has conducted himself in a good manner all throughout his incarceration period where his discipline has been exemplary.
4. In view of the foregoing, it is my finding that the applicant is eligible for early release as the report found in his favor. The applicant has a balance of one (1) year and four (4) months to serve. In my view, the applicant is eligible for a non-custodial sentence.
5. I therefore direct that the applicant be placed on three (3) years probation. He is to be subjected to community service order (CSO) at Embakasi DCC’s office. He will be supervised by JKIA Probation Office.

It is so ordered.

**RULING DATED AND DELIVERED VIRTUALLY THIS 13<sup>TH</sup> DAY OF DECEMBER 2024**



**D. KAVEDZA**  
**JUDGE**

