



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**CRIMINAL APPEAL NO. 63 OF 2017**

**EVANS OUMA OKETCH.....APPELLANT**

**VERSUS**

**REPUBLIC..... PROSECUTION**

**(Appeal from the judgment, conviction and sentence in the Principal Magistrate's Court at Bondo in Criminal Case No. 921 of 2016 dated 5.7.2017 by Hon. M. Obiero, Principal Magistrate)**

**RULING ON SENTENCE**

1. Judgment in this case was delivered on 20th January, 2020, dismissing the appellant's appeal against conviction. The court then ordered for a social inquiry report on the appellant to guide the court on resentencing.
2. I have considered the Social Inquiry Report dated filed by the Probation Officer, Siaya County, on 18<sup>th</sup> February 2020, on the appellant and the remarks concerning the victim of the offence. I find no reason to interfere with the 20 years imprisonment imposed on the appellant.
3. However, as the Appellant was handed the mandatory minimum sentence, I hereby set it aside and substitute it with a prison term of fifteen (15) years imprisonment to be calculated from the date of sentencing in the lower court on 5.7.2017.
4. Orders accordingly.

**Dated, Signed and Delivered at Siaya this 18<sup>th</sup> day of February, 2020.**

**R.E. ABURILI**

**JUDGE**