



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA
CONSTITUTIONAL AND HUMAN RIGHTS DIVISION
PETITION NO. 250 OF 2018

IN THE CONSTITUTION OF KENYA 2010 (SUPERVISORY JURISDICTION
AND PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS OF AN
INDIVIDUAL) HIGH COURT PRACTICE AND PROCEDURE RULES 2013

IN THE MATTER OF: ARTICLE 22(i) OF THE CONSTITUTION

AND

IN THE MATTER OF: ARTICLES 19, 20, 21, 22, 23, 24, 25, 27,
48, 50, 258 & 259 OF THE CONSTITUTION OF KENYA

AND

BETWEEN

AMIN MOHAMED *alias* RASIA.....PETITIONER

AND

DIRECTOR OF PUBLIC PROSECUTION.....RESPONDENT

JUDGMENT

17/12/2019

Before Hon. Justice E. Ogola

Court Assistant Kaunda

Ms. Mutua for DPP

Petitioner in person

Ms. Mutua:

Petitioner was charged with robbery with violence in Criminal Case No. 1229 of 2003. He was sentenced to death which was reduced to life. He robbed complainant of motor vehicle KAN 098D, cash 3M Tanzania Shillings and a phone while armed with a pistol. Nobody was harmed. The Petitioner has since served 16 years in prison. We pray that he be sentenced to 20 years including time served.

HON. E. K. OGOLA

JUDGE

Petitioner:

I accepted my punishment. I pray that I be forgiven. In prison I work with Mewa to help people stop drug abuse. I am fifty two (52) years old. I have parents. I am married with children.

HON. E. K. OGOLA

JUDGE

Court:

The Petitioner is sentenced to serve 16 years in prison, which he has already served. He is therefore forthwith released unless lawfully held.

HON. E. K. OGOLA

JUDGE

15/2/2019