

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIVASHA

CRIMINAL REVISION NO. 8 OF 2018

(From Original Conviction and Sentence in Criminal Case No. 1409 of 2017 of the Chief Magistrate's Court at Naivasha)

WILSON NDUNGU.....APPLICANT

-VERSUS-

REPUBLIC.....PROSECUTOR

IN CHAMBERS

BEFORE JUSTICE MWONGO, J

ORDER ON REVISION

1. I have considered the Chamber Summons of **Wilson Ndungu alias Vigiji** the Applicant filed on 2nd March, 2018 for revision of sentence. The Applicant was sentenced on 4th January, 2018 upon his own plea of guilty for the offence of preparation to commit a felony contrary to Section 308 (1) of the Penal Code.
2. He was sentenced to serve 5 years imprisonment, having been found armed with dangerous weapons with intent to break into a shop and steal therefrom.
3. He says he is an orphan in mitigation and first offender.
4. This is a proper case for revision. I revise the sentence to three (3) years with the last twelve (12) months being available for the Applicant to be released for community service subject to his maintaining good conduct and a letter from the Prisons Department.

Given under my hand and the Seal of this Court this 17th day of **May, 2018**.

JUSTICE R. MWONGO

JUDGE

Dated at Naivasha this 17th day of May 2018.

E. KIMILU

DEPUTY REGISTRAR