

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT BUNGOMA
MISC. CRIMINAL REVISION NO. E075 OF 2025

DENNIS KHATERA LUMUMBA.....
APPLICANT

VERSUS

REPUBLIC
RESPONDENT

RULING

1. The Applicant Dennis Khatera Lumumba was charged jointly with others of the offence of breaking into a building and committing a felony contrary to Section 306 (a) of the Penal Code in Webuye SPM CR C No. E451/2022 as consolidated with CR. C E044/2023.
2. At the conclusion of the trial, the Applicant was sentenced to serve a cumulative custodial term of 7 years.
3. The applicant has now moved this court craving that the pre-trial terms served be factored in his sentence.
4. I have called for the trial file and I have established that the trial court did not take into account the period of 1 year, 5 months and 16 days that the Applicant had served prior to his conviction and sentencing. I therefore find that this

application is well merited and I allow it and order that the period of 1 year, 5 months and 16 days be deducted from the Applicant's sentence.

5. This file is hereby marked as closed.

Delivered, signed and dated at Bungoma this 16th day of October, 2025.

MWANAISHA S. SHARIFF

JUDGE