

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KIBERA
CRIMINAL REVISION NO. 74 OF 2025

KENNEDY OTIENO JUMA.....APPLICANT

VERSUS

REPUBLIC.....
.....RESPONDENT

RULING.

1. The applicant was charged and after a full trial convicted for the offence of robbery with violence contrary to section 296(2) of the Penal Code. He was sentenced to death by the trial court. The sentence was later commuted to life imprisonment.
2. Aggrieved by the sentence, the appellant's appeal against conviction and sentence was upheld by Ngenye J on 17th August 2016. The applicant further appealed to the Court of Appeal in Criminal Appeal No. 132 of 2018 which was subsequently dismissed.
3. What the applicant is seeking therefore, is for this court to review the decision of the Court of Appeal. This court is bereft of any such jurisdiction to review the said decision, as doing so, would be tantamount to sitting as an appellate court on the decision of a court of higher status (Court of Appeal).
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court. The application dismissed.

**Ruling dated and delivered virtually this 18th day of
November 2025**

**D. KAVEDZA
JUDGE**

ORIGINAL