



**Mwanji alias Otiwe v Republic (Criminal Revision E283 of 2025)
[2025] KEHC 17927 (KLR) (3 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 17927 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E283 OF 2025
RN NYAKUNDI, J
DECEMBER 3, 2025**

BETWEEN

ELVIS OTIENO MWANJI ALIAS OTIWE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged of housebreaking contrary to Section 304(1) (b) and stealing contrary to Section 279(b) of the penal code. The brief facts are on the 24th day of May 2023, at around 1700hrs in executive area of Chepkoilel junction, Chepkoilel sub location, Moiben Sub County within Uasin Gishu County, broke and entered the building used as a dwelling house by Mary Wambui and stole 6kgs gas cylinder (top gas), sub-woofer make Vitron and a blue denim jacket all valued at Kshs. 9,000/= the property of Mary Wambui.
2. The Applicant pleaded guilty and was sentenced to 2 years' imprisonment on 17th August 2023.
3. I have carefully perused through the record of this matter and considered the nature of the offence, the circumstances under which it was committed, and the sentence imposed by the trial court. The applicant was sentenced to 2 years' imprisonment on 17th August 2023 for offences of housebreaking and stealing involving property valued at Kshs. 9,000/= . Having regard to the period the applicant has already served in custody and considering that the offence was non-violent in nature and involved property of relatively modest value, I am satisfied that the interests of justice would be adequately served by reviewing the sentence to the period already served.
4. Accordingly, the sentence imposed on the applicant is hereby reviewed and reduced to the period he has already served. The applicant shall be released forthwith unless otherwise lawfully held on any other matter.
5. Orders accordingly.



SIGNED, DATE AND DELIVERED AT NOVEMBER THIS 3RD DAY OF DECEMBER, 2025.

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R. NYAKUNDI

JUDGE

Representations:

M/s Sidi Kirenge for the State

