



**Mbithi v Republic (Criminal Revision E126 of 2025)  
[2025] KEHC 18872 (KLR) (18 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 18872 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION E126 OF 2025  
DR KAVEDZA, J  
DECEMBER 18, 2025**

**BETWEEN**

**PATRICK KILUNDO MBITHI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and after a full trial convicted for the offence of obtaining money by false pretences contrary to section 313 of the Penal Code. He was sentenced to pay a fine of Kshs. 400,000 in default to serve twelve (12) months imprisonment.
2. He has filed the present application undated application seeking revision of sentence. The grounds raised are that the court failed to consider the time spent in remand custody.
3. I have considered the application, the grounds in support and the applicable law. From the record of the trial court, the court considered the applicant's mitigation, the time spent in remand custody and the fact that the applicant was a first offender before sentencing. Having considered the application in its totality. The sentence imposed was also legal in the circumstances of the case.
4. In my view I find no good cause or reason to revise the sentence imposed by the trial court. The application dismissed.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 18<sup>TH</sup> DAY OF DECEMBER 2025**

**D. KAVEDZA**

**JUDGE**

