

- c. *That I am first offender, remorseful, repentant and reformed and rehabilitated person and I have learned a lot in prison and pray to be allowed by the honorable court to play role model in the society.*
- d. *That during my time in prison I have gone through theological and social programs which have rehabilitated me.*
- e. *That may this honorable court be pleased to grant me a fair opportunity to argue my petition before the court.*

Decision

3. In this matter, the offence is punishable by life imprisonment. I therefore put the Applicant on notice that, by dint of the law, even the sentence being advanced before this Court is liable to review upwards, as guided by the Supreme Court in the ***Kitsao Mangeso case***. Consequently, any such application relating to sentence is moot and is hereby dismissed under section 382 of the Criminal Procedure Code. It is so ordered.

**DATED, SIGNED AND DELIVERED AT ELDORET THIS 11TH DAY OF
FEBRUARY 2026**

.....

R. NYAKUNDI

JUDGE