

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KIBERA
CRIMINAL PETITION NO. E003 OF 2026

FRANCIS OUMA OKOTH.....PETITIONER

VERSUS

REPUBLIC..... 1ST
RESPONDENT

ATTORNEY GENERAL.....2ND
RESPONDENT

RULING

1. The Petitioner was convicted of the offence of Defilement contrary to Section 8 (1) as read with 8 (2) of the Sexual Offences Act he was sentenced to serve life imprisonment. He filed an Appeal which was dismissed for lack in merit Before Hon. D.O Ogembo (J). he lodged his second appeal which was also dismissed by Hon. Justices P.O Kiage., L. Achode and Joel Ngugi. He is currently serving a life sentence.
2. The Petitioner has now filed the present petition dated 21st January 2026 seeking a further resentencing, citing that indeterminate sentences of life imprisonment devoid of judicial input is contrary to his right of to a fair trial enshrined under Article 50 of the Constitution of Kenya 2010.
3. I have considered the petition, the grounds in support and the applicable law. From the record of the trial court, the court considered the petitioner's mitigation, and that he was a first offender before sentencing. Having considered the petition 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. The petition dismissed for lacking in merit.
Orders accordingly.

**Ruling dated and delivered virtually this 10th Day of
March 2026**

**D. KAVEDZA
JUDGE**