



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

HC CRIMINAL APPEAL CASE NO. E005 OF 2024

REPUBLICPROSECUTOR

VERSUS

DUNCAN

KIUNGA.....RESPONDENT

RULING

Court:-

1. For the offence of rape, the Appellant was convicted and sentenced to serve 10 years imprisonment on 24/1/2024. From the sentencing record, the period he had spent in remand was not considered. He was arrested on 10/5/2022. He was therefore in custody for a period of One year, Eight Months and 14 days. The same, under **Section 333(2) of the Criminal Procedure Code** is deducted from the

sentence of 10 years meted against him. His application or appeal to the said extent is therefore allowed.

DATED AND DELIVERED AT MERU THIS 10TH DAY OF MARCH, 2026.

S.M. GITHINJI- JUDGE
10/3/2026