

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KIBERA
MISC. CRIMINAL APPLICATION NO. E037 OF 2026

VINCENT ODHIAMBO OWINO.....APPLICANT

VERSUS

REPUBLIC.....
.....RESPONDENT

RULING.

1. The applicant was charged before the subordinate court with the offence of attempted murder contrary to section 202(b) of the Penal Code and, upon conviction, was sentenced to thirty (30) years' imprisonment. Being dissatisfied with both conviction and sentence, he preferred an appeal vide HCCRA No. 95 of 2012, which was duly heard and dismissed. A further appeal to the Court of Appeal was similarly unsuccessful, thereby affirming both conviction and sentence.
2. The applicant has now moved this Court by way of the present undated application seeking review of sentence. The principal ground advanced is that he has substantially served the sentence, having been in custody for approximately seventeen (17) years, and that, taking into account remission, only about three (3) years remain.
3. I have carefully considered the application, the grounds in support thereof, and the applicable legal framework. The record of the trial court demonstrates that, at the time of sentencing, due consideration was given to the applicant's mitigation, including the period spent in remand custody and his status as a first offender. The sentence imposed was therefore arrived at after due regard to the relevant sentencing principles. The

seriousness of the offence cannot be understated and must be weighed against the applicant's plea for leniency.

4. Having considered the application in its entirety, I am satisfied that the sentence imposed was lawful, proportionate, and appropriate in the circumstances. No error, illegality, or misdirection has been demonstrated to warrant this Court's intervention.
5. In the premises, I find no sufficient cause or basis upon which to revise or interfere with the sentence imposed by the trial court. The application is accordingly dismissed.

Orders accordingly.

Ruling dated and delivered virtually this 9th day of April 2026



**D. KAVEDZA
JUDGE**

ORIGINAL