



**Obiero v Republic (Miscellaneous Criminal Application
E219 of 2025) [2026] KEHC 5054 (KLR) (23 April 2026) (Ruling)**

Neutral citation: [2026] KEHC 5054 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E219 OF 2025**

A MABEYA, J

APRIL 23, 2026

BETWEEN

JOSEPH ODUOR OBIERO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have seen the letter by the applicant dated 10/3/2026. I have considered the record of the trial court.
2. Applicant was charged on 2/4/2024 with the offence of stealing. He was granted bond on the same day for Kshs.200,000/- with two sureties. However, he was unable to raise it. Accordingly, he remained in custody throughout his trial up to the date of conviction and sentence on 10/12/2025. He was sentenced to 2 years' imprisonment.
3. I noted that the trial court did not comply with section 333(2) of the Criminal Procedure Code.
4. Accordingly, the sentence of 2 years the applicant is to run from 2/4/2024. Orders to the Prison to note and act accordingly.
5. This file is hereby closed.

It is so ordered.

DATED AND DELIVERED AT KISUMU THIS 23RD DAY OF APRIL, 2026.

A. MABEYA, FCI Arb

JUDGE

