

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT GARSEN

CRIMINAL REV. NO. E027 OF 2025

EDWARD MASHA MRAMBA.....

APPLICANT

VERSUS

REPUBLIC.....

.....RESPONDENT

RULING

1. The Applicant herein has filed an undated application seeking for review of the sentence of 3 years imprisonment imposed on him for the offence of stealing a motor cycle contrary to Section 278(A) of the Penal Code. The grounds in support of the application are that the Applicant is a married family man with 2 children of whom he is the sole breadwinner. That he is remorseful and promises not to repeat such an offence as he is now a reformed person. That he was a first offender.
2. The evidence adduced by the prosecution against the Applicant is that he and others who were not before court stole a motor cycle at night from where it was parked outside the home of the complainant. On the following morning he was found riding it towards Malindi direction on Malindi/Lamu highway. He was arrested and charged with the offence. He was tried, convicted and sentenced.

3. The sentence for theft of a motor vehicle under Section 278(A) of the Penal Code is imprisonment for 7 years. Considering the circumstances of this case the sentence of 3 years is in my view not harsh nor excessive. Theft of motor cycle is a serious offence. There is no merit in the application for revision of sentence.
4. In view of the foregoing the application is unmerited and is dismissed.

Delivered, dated and signed at GARSEN this 8th day of May 2026.

J. N. NJAGI
JUDGE

In the presence of:

Mr. Oluoch for Respondent

Applicant: Present virtually at Hindi G.K. Prison

Court Assistant: Nasra