



REPUBLIC OF KENYA



KENYA LAW
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**Matayo v Republic (Criminal Revision E011 of 2025)
[2025] KEHC 1425 (KLR) (31 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 1425 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E011 OF 2025
WA OKWANY, J
JANUARY 31, 2025**

BETWEEN

DOUGLAS ONDIEKI MATAYO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates’
Court at Keroka, Criminal Case No. MCCR E076 of 2024 by Hon.
C. Ombija, Senior Resident Magistrate on 1st February 2024)*

RULING

1. The Applicant was convicted on his own plea of guilty for the offences of conspiracy to commit a felony contrary to Section 393 of the [Penal Code](#) in the first count and assault causing actual bodily harm contrary to Section 251 of the [Penal Code](#) in the second count. The trial court sentenced him to serve three (3) years’ imprisonment for each count and the sentences were to run concurrently. The Applicant has served nine (9) months of his sentence and is remaining with 15 months after remission, to complete the sentence. The Sentence Review Report filed on 13th January 2025 by the Probation Officer Mr. Ng’etich Nicholas Kibet recommends a non-custodial sentence. I hereby direct that the Applicant shall serve a Community Service Order at North Masaba Chief’s Office under the supervision of the area chief.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 31ST DAY OF JANUARY 2025.

W.A. OKWANY

JUDGE

