



REPUBLIC OF KENYA



KENYA LAW
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**Ndege v Republic (Criminal Revision E014 of 2025)
[2025] KEHC 2437 (KLR) (31 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 2437 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E014 OF 2025
WA OKWANY, J
JANUARY 31, 2025**

BETWEEN

ALFAYO ORINA NDEGE APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates'
Court at Nyamira, Criminal Case No. MCCR E441 of 2024
by Hon. B.O. Okong'o, Resident Magistrate on 27th July 2024)*

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of assault causing actual bodily harm contrary to Section 251 of the *Penal Code*. The trial court sentenced him to pay a fine of Kshs. 30,000/= and to compensate the victim in the sum of Kshs. 65,450/= or to serve one (1) year imprisonment in default. The Applicant has served five (5) months of his sentence and is remaining with three (3) months after remission, to complete the sentence. The Sentence Review Report filed on 13th January 2025 by the Probation Officer Mr. Nelson Maroa recommends a non-custodial sentence. I hereby direct that the Applicant shall serve a Community Service Order at Egetonto Sub-location Office under the supervision of the Probation Officer and the Assistant Chief for the remainder of his sentence.

Orders accordingly.

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

W.A. OKWANY

JUDGE

