



REPUBLIC OF KENYA



**Bizumurengi v Republic (Miscellaneous Criminal Application  
E205 of 2024) [2025] KEHC 446 (KLR) (27 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 446 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
MISCELLANEOUS CRIMINAL APPLICATION E205 OF 2024**

**DR KAVEDZA, J  
JANUARY 27, 2025**

**BETWEEN**

**RAPHAEL BIZUMURENGI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant was charged and convicted for the offence of defilement contrary to section 8(1) as read with 8(2) of the *Sexual Offences Act*, No. 3 of 2006. He was sentenced to life imprisonment. His appeal before this court was dismissed on 24<sup>th</sup> January 2022 in Nairobi High Court Criminal Appeal No. 135 of 2019
2. He has filed the present application seeking sentence review. The grounds raised are that the he has since his incarceration he has reformed. The sentence imposed was unconstitutional and the time spent in custody is adequate.
3. I have reviewed the application, the supporting grounds, and the relevant law. The trial court's record shows that it considered the applicant's mitigation and the fact that he was a first-time offender before issuing the sentence. I find that the sentence imposed was lawful and appropriate under the circumstances.
4. Furthermore, the Supreme Court decision in Petition E018 of 2023, Republic vs. Joshua Gichuki Mwangi, emphasized the court's obligation not to interfere with mandatory minimum sentences prescribed under the *Sexual Offences Act*.
5. In the premises, the application is found to be lacking in merit and is dismissed.

**RULING DATED AND DELIVERED VIRTUALLY THIS 27<sup>TH</sup> JANUARY 2025**



**D. KAVEDZA**  
**JUDGE**

