



**Orina v Republic (Criminal Revision 196 of 2024)  
[2025] KEHC 3725 (KLR) (26 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3725 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
CRIMINAL REVISION 196 OF 2024  
DR KAVEDZA, J  
MARCH 26, 2025**

**BETWEEN**

**BRIAN ORINA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file was opened for purposes of considering whether the convict Brian Orina is suitable for consideration of his sentence review in the spirit of prison decongestion pursuant to the Chief Justice Memo dated 7<sup>th</sup> December 2022.
2. The applicant was convicted for the offence of defilement contrary to section 8(1) as read with section 8(2) of the *Sexual Offences Act*, No 3 of 2006. He was sentenced on 28<sup>th</sup> January 2016 to thirteen (13) years imprisonment.
3. According to the report dated 7<sup>th</sup> August 2024 on record the Applicant has served eight years and seven months of his sentence of thirteen years imprisonment.
4. Due to the seriousness of the offence, I therefore find that the Applicant is not eligible for a non-custodial sentence and decline to release him. The applicant to serve the full sentence to completion.

Orders accordingly.

**RULING DATED AND DELIVERED VIRTUALLY THIS 26<sup>TH</sup> DAY OF MARCH 2025**

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**D. KAVEDZA**

**JUDGE**

