



REPUBLIC OF KENYA



**Momanyi v Republic (Revision Case E035 of 2025)  
[2025] KEHC 5243 (KLR) (25 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 5243 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
REVISION CASE E035 OF 2025  
WA OKWANY, J  
APRIL 25, 2025**

**BETWEEN**

**PETER OMWANSA MOMANYI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original Conviction and Sentence in the Chief Magistrates’  
Court at Nyamira, Criminal Case No. E873 of 2024 by Hon.  
W.K. Chepseba, Chief Magistrate on 2nd December 2024)*

**RULING**

1. The Applicant was convicted on his own plea of guilty for the offence of breaking into a building and committing a felony contrary to Section 306 (a) of the *Penal Code*. The trial court sentenced him to pay a fine of Six Thousand Shillings (Kshs. 6,000/=) and to compensate the complainant in the sum of Twenty-Four Thousand Shillings (Kshs. 24,000/=) or to serve one (1) year imprisonment in default. The Applicant has served five (5) months of his sentence and is remaining with four (4) months, after remission, to complete the sentence. The Sentence Review Report filed on 9<sup>th</sup> April 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 Kegegi Primary School for four (4) months under the supervision of the Probation Officer Nyamira and the School’s Head-teacher.

Orders accordingly.

**DATED AND DELIVERED AT NYAMIRA ON THIS 25<sup>TH</sup> DAY OF APRIL 2025.**

**W.A. OKWANY**

**JUDGE**

