



**Republic v Korir (Criminal Revision E202 of 2024)
[2025] KEHC 7442 (KLR) (27 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 7442 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL REVISION E202 OF 2024**

JK SERGON, J

MAY 27, 2025

BETWEEN

REPUBLIC PROSECUTION

AND

BENSON KORIR APPLICANT

RULING

1. The file relating to Kericho C.M.C.CR.C No.E.024 of 2024 Republic -vs- Benson Korir was placed before this Court for perusal and examination by the Deputy Registrar of this Court pursuant to the provisions of Sections 362 and 364 of the *Criminal Procedure Code*.
2. Under aforesaid provisions, this Court entitled to examine any Criminal Proceedings before any Subordinate Court for purposes of satisfying itself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed and as to the regularity of any proceedings of such Subordinate Court.
3. The record shows that Benson Korir, the Applicant herein underwent trial for the offence of Stealing Contrary to Section 268 as read with Section 275 of the *Penal Code* and was eventually convicted and sentenced to serve two (2) years imprisonment.
4. In the recorded proceedings, it is apparent that the Trial Magistrate took into account the mitigating factors and the fact that the Accused is a first offender before meting out the sentence. The maximum sentence prescribed for the offence of Stealing under Section 268 as read with Section 275 of the *Penal Code* is 3 years imprisonment.
5. The Trial Magistrate sentenced the applicant to 2 years imprisonment without an option of a fine.



6. I am satisfied that the learned Resident Magistrate took into account all relevant factors before pronouncing her sentence. In my view the sentence meted out is reasonable and appropriate in the circumstances.
7. This Court finds no good reason(s) to interfere with the sentence on revision. This revision is bereft of merit. It is dismissed.

DATED, SIGNED AND DELIVERED AT KERICHO THIS 27TH DAY OF MAY 2025

J.K. SERGON

JUDGE

