



**Republic v Oketch (Criminal Revision E236 of 2024)
[2025] KEHC 7004 (KLR) (27 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 7004 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL REVISION E236 OF 2024**

JK SERGON, J

MAY 27, 2025

BETWEEN

REPUBLIC PROSECUTION

AND

BONVITA OKETCH RESPONDENT

RULING

1. The file relating to Kericho C.M.C.CR.C No.E.411 of 2024 Republic -vs- Bonvita Oketch 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 provision, 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. Upon perusal of the record of the Trial Court, it is clear that one Bonvita Oketch, the Applicant herein, was convicted on his plea of guilty for the offence of being in possession of Narcotic Drugs Contrary to Section 3(1) as read with Section 3 (2) of the Narcotic Drugs and Psychotropic Substances Control *Act No.4 of 1994* and was sentenced to serve 2 years imprisonment.
4. The maximum sentence prescribed for such an offence under Section 3 (2) (a) of the Narcotic Drugs and Psychotropic Substances Control *Act No.4 of 1994* is five (5) years imprisonment or to a fine of not more than Kshs.100,000/=.
5. The record shows that the Trial Court considered all the factors in mitigation before meting out the sentence of 2 years imprisonment.



6. The aforesaid in my view is reasonable and is neither harsh nor excessive. This Court is of the view that it should not interfere with the sentence of the Trial Court in exercise of its supervisory power of revision.

7. Consequently, the instant revision is dismissed.

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

J.K. SERGON

JUDGE

