



**Ambetsa v Republic (Criminal Miscellaneous Application
E085 of 2025) [2025] KEHC 9075 (KLR) (27 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 9075 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL MISCELLANEOUS APPLICATION E085 OF 2025
RN NYAKUNDI, J
JUNE 27, 2025**

BETWEEN

VICTOR AMBETSA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant is before this court vide an application dated 4th June, 2025 expressed to be brought under the provisions of section 333(2) of the [Criminal Procedure Code](#), in which he seeks orders as follows:
 - a. That the petitioner is seeking for the review in accordance to section 333(2) of the [Criminal Procedure Code](#)
 - b. That the honorable court be pleased and allow my sentence of 20 years to run as from the date of arrest as per section 333(2) of the CPC
2. The application is further supported by an affidavit of the applicant who deposed as follows:
 - a. That I am Kenyan citizen adult male of sound of mind hence competent to swear this affidavit
 - b. That I was charged with offence of robbery with violence contrary to section 296 (2) of the penal code
 - c. That I am requesting for sentence to run from the date of arrest as from 11/10/2021
 - d. That I was arrested on 11/10/2021 and convinced on 6/9/2022 my 9th month and 4 days was not factored in my sentence of 20 years



Decision

3. The applicant was charged, convicted and sentenced to life for the offence of robbery with violence contrary to section 295 as read with section 296(2) of the *Penal Code*. Aggrieved with the said decision, the applicant lodged an appeal to this court, which appeal was considered by the session judge, upholding both the conviction and sentence.
4. The applicant is therefore referring to a non-existent sentence of 20 years. Nothing from the record reveals that he was sentenced to 20 years and therefore the application dated 4th June, 2025 is devoid of merit and is hereby dismissed.
5. Orders accordingly.

SIGNED, DATE AND DELIVERED AT ELDORET THIS 27TH DAY OF JUNE 2025.

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R. NYAKUNDI

JUDGE

