



**Sang v Republic (Criminal Petition 54 of 2019)
[2025] KEHC 11982 (KLR) (13 August 2025) (Ruling)**

Neutral citation: [2025] KEHC 11982 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL PETITION 54 OF 2019
RN NYAKUNDI, J
AUGUST 13, 2025**

BETWEEN

GILBERT KIPTOO SANG PETITIONER

AND

REPUBLIC RESPONDENT

RULING

1. Before this court is an application where the Applicant is seeking the following orders:
 - a. That the petitioner be granted leave to lodge an application seeking for sentence re-hearing as per the decision of the Supreme Court in Petition No. 15 of 2015 Francis Karioko Muruatetu and Another Vs Republic.
 - b. That the petitioner has exhausted all avenues of appeal and is remorseful hence proceed to petition the high court for sentence re-hearing only.
2. That the said application has been further supported by the annexed affidavit of the said applicant Gilbert Kiptoo Sang who avers as follows;
 - a. That I am a Kenyan citizen adult male of sound of mind hence proficient to swear this affidavit.
 - b. That, I was tried and finally convicted and sentenced to suffer death that was awarded from the charge of murder c/s 203 as read with section 204 of the CPC.
 - c. That I the petitioner has exhausted all avenues of appeal and I very remorseful hence pray for sentence re-hearing relying on the recent decision of the supreme court in the petition no. 15 of 2015 Francis Karioko Muruatetu and another vs rep.
 - d. That this court has unlimited powers and discretion to handle application of this nature.



- e. That such other grounds to be adduced during the hearing of this application and also pray to be present during the hearing.

Decision

3. This constitutional petition was withdrawn and the file marked as closed.

DATED, SIGNED AND DELIVERED AT ELDORET THIS 13TH AUGUST 2025.

.....

R. NYAKUNDI

JUDGE

