



**Isanya v Republic (Criminal Revision E156 of 2025)  
[2025] KEHC 11752 (KLR) (6 August 2025) (Ruling)**

Neutral citation: [2025] KEHC 11752 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
CRIMINAL REVISION E156 OF 2025  
RN NYAKUNDI, J  
AUGUST 6, 2025**

**BETWEEN**

**GAYROD ISANYA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant herein was charged of stealing contrary to section 268 as read with 275 of the Penal Code. The brief facts were that the Applicant on the 5<sup>th</sup> day of April 2025, at Elgon view estate Racecourse location in Kesses sub county within Uasin Gishu County stole one steel water tank, two mattocks, one electric pump, 3 jembes, 5 tarimbos and one sledged hummer a valued at Kshs. 33,450/= the property of Daniel King’ori Githaiga. He pleaded guilty to the offence, was convicted and sentenced to a fine of 20,000/= in default 6 months’ imprisonment.

**Decision**

2. The applicant on his own plea of guilty was convicted and sentenced to a fine of 20,000 in default 6 months’ imprisonment. As at the time of this revision on sentence under section 362 & 364 of the Criminal Procedure Code, he had already completed serving the custodial sentence in default of non-payment of fine. The remedy has been spent and nothing for this court to exercise judicial discretion within the enabling provisions of the law. It is so ordered.

**DATED, SIGNED AND DELIVERED VIA CTS AT ELDORET THIS 6<sup>TH</sup> AUGUST 2025**

.....

**R. NYAKUNDI**

**JUDGE**

