



**Nyamao v Republic (Criminal Revision E038 of 2024)
[2024] KEHC 6508 (KLR) (30 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6508 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E038 OF 2024**

WA OKWANY, J

MAY 30, 2024

BETWEEN

KEVIN MAKORI NYAMAO APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Senior Principal Magistrates' Court at Keroka, Criminal Case No. MCCR E496 of 2021 by Hon. B.M. Kimtai, Principal Magistrate on 15th December 2023)

RULING

1. The Applicant was convicted on his own plea of guilty for the offence of burglary contrary to Section 304 (2) and stealing contrary to Section 279 (b) of the *Penal Code*. The trial court sentenced to serve 5 years imprisonment. The Applicant has already served 2 years and 9 months of his sentence. The Sentence Review Report filed on 3rd April 2024 by Probation Officer Peter Mogusu Ayienda recommends a non-custodial sentence. I hereby direct that the Applicant shall serve a Community Service Order for the remainder of his sentence. He is to work at Bomorenda Location Chief's Office under the supervision of the area Chief Mr. Jared Onguso.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 30TH DAY OF MAY 2024.

W.A. OKWANY

JUDGE

