



**Oyaro v Republic (Criminal Revision E036 of 2024)  
[2024] KEHC 6507 (KLR) (30 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6507 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL REVISION E036 OF 2024**

**WA OKWANY, J  
MAY 30, 2024**

**BETWEEN**

**FRED MOINDI OYARO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original Conviction and Sentence in the Senior Principal Magistrates' Court at Keroka, Criminal Case No. MCCR E1017 of 2021 by Hon. SK. Arome, Senior Resident Magistrate on 6th September 2021)*

**RULING**

1. The Applicant was convicted on his own plea of guilty for the offences of attempted arson contrary to Section 333 (a) of the Penal Code and handling stolen goods contrary to Section 322 (1) (2) of the Penal Code. The trial court sentenced him to serve 2 years' imprisonment for the first count and 3 years for the second count. The Applicant has already served 2 years and 6 months of his sentence. The Sentence Review Report filed on 3<sup>rd</sup> April 2024 by the Probation Officer Peter Mogusu Ayienda recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order at North Masaba location Chief's office under the supervision of the area Chief, Mr. Samwel Bunde for the remaining period of his sentence.

Orders accordingly.

**DATED AND DELIVERED AT NYAMIRA ON THIS 30<sup>TH</sup> DAY OF MAY 2024.**

**W.A. OKWANY**

**JUDGE**

