



**Republic v Kapolon (Criminal Revision E111 of 2024)
[2024] KEHC 10125 (KLR) (13 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 10125 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E111 OF 2024
RN NYAKUNDI, J
AUGUST 13, 2024**

BETWEEN

REPUBLIC PROSECUTION

AND

ALAEX KAPOLON ACCUSED

RULING

Background

1. The Applicant was charged with the offence of Stealing Alcoholic Drinks without liquor Licence Contrary to Section 37 (1) as read with Section 62 of the *Alcoholic Drinks Control Act* No 4 of 2010. The particulars of the offence are that on 6th day of February, 2024 at around 1100 hrs at Kanamkemer village in Turkana Central Sub- County within Turkana County was found selling assorted wines and spirits at Tambla Wines and Spirit shop without liquor licence
2. This matter was brought before this court Referenced HCRE E111/2024 seeking review of sentence under Section 362 of the CPC. On consideration of the facts of the case, the same lacks merit and it is dismissed under Section 382 of the code.

DATED, SIGNED AND DELIVERED AT ELDOET THIS 13TH DAY OF AUGUST 2024

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**R. NYAKUNDI
JUDGE**

