



**Okulo v Republic (Criminal Revision 167 of 2024)
[2024] KEHC 13247 (KLR) (29 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13247 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 167 OF 2024
DR KAVEDZA, J
OCTOBER 29, 2024**

BETWEEN

DANIEL OKULO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant was charged and convicted for the offence of being in possession of narcotics drugs contrary to section 3(1) as read with 3(2) of the Narcotic Drugs and Psychotropic Substance Control *Act, No. 4 of 1994* to wit 20 rolls of cannabis with a street value of Kshs. 2000. He was sentenced to serve five (5) years imprisonment.
2. He has now filed an application seeking revision of sentence. He filed an affidavit in support of his motion. The averments made are that since his incarceration he has suffered from health complications. He urged the court to issue a non-custodial sentence. As for his conduct in prison, the applicant has attended a number of trainings and counselling sessions, which have been instrumental in his rehabilitation process.
3. In view of the foregoing, it is my finding that the applicant would benefit from a non-custodial sentence to undergo rehabilitation and counselling.
4. I hereby make the following orders:
 - i. The applicant is released on probation for a period of two (2) years
 - ii. If he commits a related offence during his probation, he shall be re-arrested and required to complete the original sentence imposed by the trial court.
 - iii. The applicant shall be subject to police supervision by the Anti-Narcotics Unit during the period under probation and shall report to the investigating officer every month.



Orders accordingly.

RULING DATED AND DELIVERED VIRTUALLY THIS 29TH DAY OF OCTOBER 2024

D. KAVEDZA

JUDGE

