



**Ndimuti v Republic (Criminal Revision E539 of 2024)  
[2024] KEHC 14665 (KLR) (25 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 14665 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL REVISION E539 OF 2024  
PN GICHOHI, J  
NOVEMBER 25, 2024**

**BETWEEN**

**BEN NDIMUTI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file has been brought up for Revision in order to decongest the Nakuru GK prison.
2. The Applicant (Ben Ndimuti) was charged in *Molo MCCR E1091 of 2024* with the offence of Cultivating a Narcotic Drug contrary to Section 2 (1) (b) as read with section 6 (b) of the [Narcotic Drugs and Psychotropic Substance Control Act](#).
3. The particulars are that on the 13<sup>th</sup> Day of May, 2024 at Kiambiriria area, in Molo Sub County within Nakuru County, you were found having cultivated narcotic drugs namely cannabis sativa (bhang) to wit 104 (One hundred and four) plants with a market value of Ksh.5,200/= in contravention of provisions of the said act.
4. He pleaded guilty and was sentenced to pay a fine of Ksh.100,000/= in default three (3) years imprisonment.
5. The Sentence Review Report by the Probation officer, Molo dated 20<sup>th</sup> November, 2024 found the Applicant suitable for Community Service. It is recommended that he be placed on Community Service Order for one (1) year at Muchorwe Chief Camp.
6. This case is suitable for Revision. The Applicant is now to serve the reminder thereof under Community Service Order for one (1) year at Muchorwe Chief Camp.
7. The terms will be explained to him.



**DATED, SIGNED AND DELIVERED AT NAKURU THIS 25<sup>TH</sup> DAY OF NOVEMBER, 2024.**

**PATRICIA GICHOHI**

**JUDGE**

**In the presence of:**

Mr. Kihara for Respondent

Ruto - Court Assistant

