



**Cheruiyot v Republic (Criminal Revision E602 of 2022)
[2023] KEHC 3749 (KLR) (27 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3749 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL REVISION E602 OF 2022
HM NYAGA, J
APRIL 27, 2023**

BETWEEN

ERIC CHERUIYOT APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant Eric Cheruiyot was charged and convicted for the offence of being in possession of alcoholic drink contrary to section 27(1) as read with section 27(4) of the [Alcoholic Drinks Control Act](#).
2. He was sentenced to serve 6 months' imprisonment on October 27, 2022.
3. He therefore finished serving his sentence on or about March 27, 2023. Having finished serving the sentence imposed by the trial court, there is no sentence which is left for this court to revise.
4. Consequently, the only just order which this court can make which I hereby do, is to order that the application be marked as overtaken by events. Orders accordingly.
5. File closed.

DATED, SIGNED & DELIVERED AT NAKURU THIS 27TH April, 2023.

H.M. NYAGA

JUDGE

In the presence of:

C/A Jeniffer

Ms Murunga for state

Applicant – N/A

