



REPUBLIC OF KENYA



**KENYA LAW**  
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**Bosibori v Republic (Criminal Revision E024 of 2023)  
[2023] KEHC 19609 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19609 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL REVISION E024 OF 2023**

**WA OKWANY, J  
JUNE 29, 2023**

**BETWEEN**

**SYLVIA BOSIBORI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant was convicted on her own plea of guilty for the offence of dealing with alcoholic drinks without a licence contrary to section 7 (1) (b) as read with section 34 (a) of the *Alcoholic Drinks Control Act* No 4 of 2010. The particulars of the offence were that on April 12, 2023, at Township location in Nyamira South sub-county within Nyamira County was found dealing with alcoholic drinks namely chang'aa to wit, 1.5 litres without license issued under the said Act.
2. The trial court sentenced her to pay Kshs 10,000/= fine or in default, to serve 6 months imprisonment. The Applicant has already served 40 days in custody. The Sentence Review Report filed on June 13, 2023 by Edwin Kimaiyo, the Probation Officer recommends a non-custodial sentence.
3. I hereby direct that the Applicant serves a Community Service Order at the Tente Primary School under the supervision of the school Headteacher for the remaining part of the sentence meted by the trial court.

Orders accordingly.

**DATED AND DELIVERED AT NYAMIRA ON THIS 29<sup>TH</sup> DAY OF JUNE 2023.**

**W.A. OKWANY**

**JUDGE**

