



**Kwamboka v Republic (Criminal Revision E025 of 2023)  
[2023] KEHC 19847 (KLR) (29 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19847 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAMIRA  
CRIMINAL REVISION E025 OF 2023  
WA OKWANY, J  
JUNE 29, 2023**

**BETWEEN**

**BEATRICE KWAMBOKA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original Conviction and Sentence in Criminal Case No. E457  
of 2023 by Hon. W.K. Chepseba, Chief Magistrate on 10th May 2023.)*

**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 16, 2023, at Township location in Nyamira South sub-county within Nyamira County was found dealing with alcoholic drinks namely chang'aa to wit, 10 litres without license issued under the said Act.
2. The trial court sentenced her to pay Kshs. 20,000/= fine or in default, to serve 10 months imprisonment. The applicant has already served 32 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 Nyangoso 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**

