



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**Juma v Republic (Revision Case E157 of 2023)
[2023] KEHC 22054 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22054 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E157 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

JANET ROSA JUMA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This matter has been brought to me under the Prison Decongestion Exercise been undertaken by this court.
2. The Applicant, Janet Rosa Juma was convicted for the offences of possession of alcoholic drinks that do not conform to the prescribed standards of alcoholic drinks contrary to section 27 (1) (b) as read with section 27 (4) of the *Alcoholic Drinks Control Act* and Selling Alcoholic Drinks without alcoholic Liquor Licence contrary to section 7(1)(b) as read with section 62 of the same *Act*. On January 4, 2023 she was sentenced to serve 9 months and 6 months' imprisonment respectively, and the sentences to run consecutively.
3. She has so far served about 8 months in prison.
4. According to the Sentence Review Report filed on July 28, 2023, the Probation Officer, Elizabeth Kwamboka, states that the inmate wishes to complete her sentence in custody. No reasons were given for this bizarre situation. I am yet to come across a convict who does not want to smell the aroma of freedom. I note that she has served 8 months already. I am not convinced that the few remaining months will serve any further purpose that the ones she has already served.
5. In light of the above, I hereby revise the sentence to the time served. I order that the convict be released from custody forthwith, unless lawfully held.
6. File closed.



DATED, SIGNED & DELIVERED AT NAKURU THIS 22ND AUGUST, 2023.

H.M. NYAGA

JUDGE

In the presence of:

C/A Jeniffer

Ms Murunga for state

Applicant -

