



REPUBLIC OF KENYA



KENYA LAW
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**Kiplagat v Republic (Revision Case E078 of 2023)
[2023] KEHC 22066 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22066 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E078 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

LEONARD KIPLAGAT 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, Leonard Kiplagat was convicted for the offence of assault causing actual bodily harm contrary to section 251 of the *Penal Code* and sentenced to serve 9 months' imprisonment on May 17, 2023.
3. He has so far served about 4 months in prison.
4. According to the Sentence Review Report filed on August 2, 2023, the Community Service Officer, Julia Isomi, recommends Community Service at Chemaner Chief's Camp for the remainder of his sentence.
5. The report further states that the inmate is a class 2 drop out and had been engaging in casual farm work.
6. He was attached to the farm section in prison and he has received guidance and counselling and is willing to serve a non-custodial sentence.
7. In light of the above and with the view to decongest the prison, I hereby exercise judicial discretion and revise the sentence. The convict shall serve under community service at Chemaner Chief's camp for 2 months. 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

