



REPUBLIC OF KENYA



**Kipyagan v Republic (Revision Case E058 of 2023)
[2023] KEHC 22018 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22018 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E058 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

ALEX KIPYAGAN ALIAS BRIAN KIPNG'ENO KIRUI 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, Alex Kipyagan was convicted for the offence of stealing contrary to section 268 as read with section 275 of the [Penal Code](#) and sentenced to serve 3 months' imprisonment and a Kshs 20,000/= fine on June 2, 2023. At the time of looking into the matter, I note that he has served his sentence and there is nothing left for this court to revise.
3. 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.
4. Orders accordingly. 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

