



**Kipyegon v Republic (Revision Case E050 of 2023)
[2023] KEHC 22048 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22048 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E050 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

DAVID LANGAT KIPYEGON 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, David Langat Kipyegon was convicted for the offence of obtaining money by false pretence contrary to section 313 of the [Penal Code](#) and sentenced to serve 6 months' imprisonment on May 30, 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, N.O. Nancy recommends Community Service at DEB Primary School for the remainder of his sentence.
5. The report further states that the prison officers state that he has been conducting himself well and has been deployed to the shamba section while in prison. He has also been receiving basic counselling during the period he has been in prison. The local administration expressed willingness to have him re-integrated to the community as he poses no threat and was of good conduct till the incident occurred.
6. In light of the above and with the view to decongest the prison, I hereby exercise judicial discretion and review the prison sentence and order that the convict serves the remainder of the sentence under community service at DEB Primary School for the remainder of his sentence.

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

