



**Lagat v Republic (Revision Case E158 of 2023)
[2023] KEHC 22061 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22061 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E158 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

NIXON LAGAT 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, Nixon Lagat was convicted for the offence of house breaking contrary to section 304 (1) (b) and stealing contrary to section 279(b) of the Penal Code and sentenced to serve 18 months' imprisonment on February 16, 2023.
3. He has so far served about 7 months in prison.
4. According to the Sentence Review Report filed on July 28, 2023, the Community Service Officer, Samuel Ndung'u recommends Community Service at Kampi Moto Assistant County Commissioner's Office for a period of three months.
5. The report further states that the convict's father is ready to receive him upon release from prison and that the applicant admits committing the offence and he is remorseful.
6. In light of the above and with the view to decongest the prison, I hereby exercise judicial discretion and order the convict/applicant be released from prison forthwith and be placed on Community Service at Kampi Moto Assistant County Commissioner's office for three months. He shall be closely supervised by the Chief, Kipsogon location who shall ensure the convict religiously performs any assigned community service to his satisfaction and weekly reports made to the Probation Officer, Nakuru who shall monitor the behaviour of the convict for the remainder of the sentence.



7. The applicant is, as required, made aware that in the event of a breach, the CSO order shall be revoked and he shall be returned to prison to serve the entire prison term imposed and not served.
8. 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 -

