



**Langat v Republic (Revision Case E028 of 2023)
[2023] KEHC 22021 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22021 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E028 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

GILBERT LANGAT 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, Gilbert Langat was convicted for the offence of breaking into a house contrary to section 304 (1) (b) and stealing contrary to section 27 (g) (b) of the *Penal Code* and sentenced to serve 18 months' imprisonment on March 6, 2023.
3. He has so far served about 6 months in prison and had previously served 1 month in remand custody.
4. According to the Sentence Review Report filed on August 2, 2023, the Community Service Officer, Newton Majale, recommends Community Service at Kuresol Police Station for the remainder of his sentence.
5. The report further states that the inmate is a class 7 drop out who had ventured into farming for family sustenance. He attributed commission of the offence to hard economic life with the pressing demands to maintain his family. He hopes to go back to his home where he will live with his wife who will support him settle down before resuming casual jobs for a living. He has a good relationship with his family and frequently communicates with them through the prison welfare phone.
6. The inmate has not undergone any kind of counselling hence no skill acquired. He is attached to the Molo Law Courts where he performs general cleanliness duties at the court premises. The Complainant in the case was the inmate's uncle and has since forgiven him and is not against his



immediate release. Additionally, the area chief believes that he has reformed and can be released to serve the remainder of his sentence.

7. In light of the above and with the view to decongest the prison, I hereby exercise judicial discretion and order that the convict be released from prison and that he serves the remainder of the sentence under community service at Kuresoi Police Station.
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 -

