



REPUBLIC OF KENYA



**Lizengwa v Republic (Revision Case E018 of 2023)  
[2023] KEHC 22079 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22079 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E018 OF 2023  
HM NYAGA, J  
AUGUST 22, 2023**

**BETWEEN**

**JOHN LIZENGWA ..... 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, John Lizengwa was convicted for the offence of house breaking contrary to section 304 (1) (a) of the penal code and sentenced to serve 9 months' imprisonment on March 16, 2023.
3. He has so far served about 6 months in prison.
4. According to the Sentence Review Report filed on August 2, 2023, the Community Service Officer, Miriam Ngochoi, recommends Community Service at Mau Summit Police Station for the remainder of his sentence.
5. The inmate is a class seven drop out who before his arrest had been engaging in casual work.
6. The report states that the inmate has been attached to the farm section while in prison and received guidance and counselling.
7. In light of the above and with the view to decongest the prison, I hereby exercise judicial discretion and revise the sentence and now order that the convict serves the remainder of the sentence under community service at Mau Summit 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**

