



**Nawaal v Republic (Revision Case E072 of 2023)
[2023] KEHC 22064 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22064 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E072 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

PATRICK NAWAAL 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, Patrick Nawaal was convicted for the offence of stealing contrary to section 268 as read with section 275 of the [Penal Code](#) and sentenced to pay a fine of Kshs 50,000 and in default serve 9 months' imprisonment on April 12, 2023.
3. He has so far served about 5 months in prison.
4. According to the Sentence Review Report filed on August 2, 2023, the Community Service Officer, Kevin Kariuki, recommends community service at Keringet Police Station for the remainder of his sentence.
5. The report states that the inmate has been of good conduct and is attached to the tree nursery and building section and has now acquired skills in tending to trees and flowers. The applicant is remorseful and very apologetic for his actions and is willing and ready for a non-custodial sentence if considered.
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 Keringet Police Station for the remainder of his sentence.
7. 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

