



REPUBLIC OF KENYA



**Njambi v Republic (Revision Case E160 of 2023)
[2023] KEHC 22118 (KLR) (22 August 2023) (Ruling)**

Neutral citation: [2023] KEHC 22118 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E160 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

STEPHEN GICHUNGI NJAMBI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This matter has been brought to me under the Prisons Decongestion Exercise being undertaken by this court.
2. The Applicant Stephen Gichungi Njambi 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 March 16, 2023.
3. He has so far served about 8 months in prison.
4. In the Sentence Review Report filed on July 28, 2023 the Probation Officer, Ndiritu Ken recommends community service.
5. According to the said Report the convict was only visited by his grandfather while in prison .He has been reported to have been of good conduct while in prison and engaged in farming activities. He intends to assist his grandfather with farm work upon his release. The Applicant is remorseful and is willing to serve a non- custodial sentence.
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 Kamura Primary School under the supervision of Koibatek Probation Office for the remainder of his sentence.
7. File closed.



DATED, SIGNED AND DELIVERED AT NAKURU ON 22ND AUGUST 2023.

H.M. NYAGA

JUDGE

In the presence of:

C/A Jeniffer

Ms Murunga for state

Applicant

