



**Ruto v Republic (Revision Case E057 of 2023)
[2023] KEHC 22114 (KLR) (22 August 2023) (Revision)**

Neutral citation: [2023] KEHC 22114 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E057 OF 2023
HM NYAGA, J
AUGUST 22, 2023**

BETWEEN

JACKSON KIPNG'ETICH RUTO APPLICANT

AND

REPUBLIC RESPONDENT

REVISION

1. This matter has been brought to me under the Prisons Decongestion Exercise being undertaken by this court.
2. The Applicant Jackson Kipng'etich Ruto was convicted for the offence of obtaining by false pretences contrary to section 313 of the [Penal Code](#) and sentenced to pay Kshs 15,000 and in default serve 2 years' imprisonment on March 21, 2023.
3. He has so far served about 6 months in prison.
4. In the Sentence Review Report filed on August 2, 2023 the Community Service Officer, Julia Isomi recommends community service.
5. According to the said Report the convict is a casual labourer and prior to his arrest he was staying at home with his parents. He intends to take part in farming activities upon his release. He maintains communication with his family through phone calls and they are willing to welcome him back upon his release. The prison officers state that the convict has been assisting in building while in prison. The Applicant is remorseful and pleading for a chance 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 Koige Chief's Camp for the remainder of his sentence.

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



H.M. NYAGA
JUDGE

