



**Mungai v Republic (Miscellaneous Criminal Application E035 of 2022)  
[2023] KEHC 26151 (KLR) (27 November 2023) (Ruling)**

Neutral citation: [2023] KEHC 26151 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIVASHA  
MISCELLANEOUS CRIMINAL APPLICATION E035 OF 2022  
GL NZIOKA, J  
NOVEMBER 27, 2023**

**BETWEEN**

**JOHN MUNGAI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The application for sentence review is considered. The 2 years the applicant has served the sentence and 3 months in custody prior to sentence is considered. The positive pre-sentence report is equally considered. I order that, the applicant serves a custodial period to the end of December 2023. Thereafter with effect from January 1, 2024, he starts the sentence on Community Service Order for a period of six (6) months at a place to be identified by the Probation Department. A complete report of successful Community Service Order sentence be filed in court by beginning of July 2024.
2. It is so ordered.

**DATED, DELIVERED AND SIGNED THIS 27<sup>TH</sup> DAY OF NOVEMBER 2023.**

**GRACE L. NZIOKA**

**JUDGE**

**In the presence of:-**

Applicant present

Mr. Ndiema for the state

Ms Ogutu Court assistant

