



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NANYUKI**

**CRIMINAL REVISION NO.34 OF 2020**

**BERNARD KIMATHI.....APPLICANT**

**VERSUS**

**REPUBLIC .....RESPONDENT**

(Revision of the Original Sentence dated 11.10.2019 in Nanyuki Criminal Case No.1300 of 2019 –V.M. Masivo, RM)

**23/03/2020**

Before Justice H P G Waweru

In Chambers

**ORDER ON REVISION**

1. The convict herein, BERNARD KIMATHI, was on 11.10.19 sentenced respectively to a fine of Kshs.1 million (In default to serve 12 months) and a fine of Kshs.200,000= (In default to serve 1 year imprisonment), the default sentences to run concurrently, for the offences of being in possession of Wildlife Trophy contrary to Section 95(d) of the Wildlife Conservation and Management Act, 2013 and conveying hunting gears into a protected area contrary to Section 102(1)(f) of the same Act. He is serving the default because of the current Coronavirus (COVID – 19) crisis in the country, and in exercise of the powers of this court under Article 159(2) of the Constitution and Sections 362 and 364 of the Criminal Procedure Code, I hereby set aside the default sentences of 12 months and 1 year imprisonment (concurrent) and substitute therefor default sentences of the time already served (Concurrent).
2. The convict shall therefore be set at liberty forthwith unless otherwise lawfully held. It is so ordered.

**DATED AT NANYUKI THIS 23<sup>RD</sup> DAY OF MARCH, 2020**

**H.P.G. WAWERU**

**JUDGE.**

**DEPUTY REGISTRAR**

**NANYUKI HIGH COURT**