

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

CRIMINAL REVISION NO.33 OF 2020

BONIFACE MWANIKI ALIAS NYUMBA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Revision of the Original Sentence dated 02.10.2019 in Nanyuki Criminal Case No.1269 of 2019 – L. Mutai, CM)

23/03/2020

Before Justice H P G Waweru

In Chambers

ORDER ON REVISION

1. The convict herein, BONIFACE MWANIKI *alias* NYUMBA was on 02.10.19 sentenced to a fine of Kshs.30,000= and in default to serve 1 year imprisonment for the offence of stealing contrary to Section 268 (1) and 275 of the Penal Code. He did not pay the fine and is serving the default sentence.
2. Because of the Coronavirus (COVID – 19) emergency, 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 will set aside the default sentence of 1 year imprisonment and substitute therefor the term already served. .
3. The convict shall therefore be set at liberty forthwith unless otherwise lawfully held. It is so ordered.

DATED AT NANYUKI THIS 23RD DAY OF MARCH, 2020

H.P.G. WAWERU

JUDGE.

DEPUTY REGISTRAR

NANYUKI HIGH COURT