

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL REVISION NO. 101 OF 2019

ALEX OUMA ODONGO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for Revision of sentence in Criminal Case No. 937 of 2019

at Siaya Principal Magistrate's Court, delivered on 1.10.2019)

RULING

1. The convict is serving 6 months imprisonment for the offence of selling alcoholic drinks in plastic bottles contrary Section 3(2) of the Alcoholic Drinks Control Act No. 4/2020 in Siaya PM Cr. Case No. 937/2019. He was fined Kshs. 30,000/= and in default, to serve 6 months imprisonment.
2. The convict has served at least 2 months of the 6 months imprisonment. The sentence is lawful and lenient.
3. I however exercise judicial discretion to decongest the prison and order that the convict Alex Ouma Odongo shall be conditionally discharged not commit any offence in the next 6 months breach of which he shall be sent back to prison to complete the term imposed.
4. Orders accordingly.

Dated, signed and delivered at Siaya this 20th day of December 2019

R.E. ABURILI

JUDGE