



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KERICHO**

**REVISION NO. 223 OF 2013**

*(Being A Revision in the Conviction and Sentence on 3.09.2013 by the Honourable V. Karanja Acting Senior Resident Magistrate at Bomet in Criminal Case No. 833 of 2013)*

**CAROLINE CHEBET.....APPLICANT**

**-VERSUS-**

**REPUBLIC.....RESPONDENT**

**(Before Hon. Justice Byram Ongaya on Friday 18th October, 2013)**

**RULING ON REVISION**

This is the ruling in an application for revision under **Sections 362 and 364** of the **Criminal Procedure Code, Chapter 75** of the **Laws of Kenya**, and under Section 8(2) of the Community Service Orders Act, 1998. The applicant is Caroline Chebet who was charged with the offence of being in possession of alcoholic drinks without a licence contrary to Section 27(1) and (2) as read with Section 34(a) of the Alcoholic Drinks Control Act No. 4 of 2010 of the Laws of Kenya in the Acting Senior Resident Magistrate's Court at Bomet.

The applicant pleaded guilty as charged and the learned trial magistrate on 3.09.2013 convicted and sentenced her to a fine of Kshs.3, 000.00 or to serve 3 months imprisonment. She has served 1 month imprisonment.

The probation officer has filed a report in view of the application for revision now before this court. The report indicates that the applicant is performing duties of general cleanliness at the prison. The report states that the applicant is remorseful; and she is a single mother. The court considers that the applicant has discovered the essence of being a good and law abiding citizen.

In conclusion, the sentence by the honourable trial court is altered and substituted with the order for the applicant to perform community service for 15 days at the Cheptagum Primary School under the area assistant chief.

**Signed, dated and delivered in court at Kericho this Friday, 18th October, 2013.**

**BYRAM ONGAYA**

**JUDGE**