

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

REVISION NO. 256 OF 2013

(Being A Revision in the Conviction and Sentence on 20.08.2013 by the Honourable Senior Resident Magistrate, J.Kasam at Sotik in Criminal .Case No.1260 of 2013)

MARY CHESANG KIRUI.....APPLICANT

-VERSUS-

REPUBLIC.....RESPONDENT

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

RULING ON REVISION

The applicant Mary Chesang Kirui pleaded guilty to the offence of being in possession of alcoholic drinks without a licence contrary to Section 27 (1) (b) as read with Section 37 (1) of the Alcoholic Drinks Control Act No. 4 of 2010.

She was sentenced to pay a fine of Kshs.10,000 in default 3 months imprisonment effective 20/08/2013. The warrant of commitment for sentence erroneously recorded 4 months imprisonment.

The court has considered the probation report. The applicant is remorseful and suitable for community service order.

Accordingly, the applicant is discharged from prison to serve the community for 30 days at the Chief's office, Abosi location of Sotik district and under the supervision of the chief.

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

BYRAM ONGAYA

JUDGE