



**Rotich v Republic (Revision Case E426 of 2024)  
[2025] KEHC 7900 (KLR) (4 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 7900 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
REVISION CASE E426 OF 2024  
RN NYAKUNDI, J  
JUNE 4, 2025**

**BETWEEN**

**PHILIP ROTICH ..... ACCUSED**

**AND**

**REPUBLIC ..... PROSECUTOR**

**RULING**

1. The accused was charge with the offence of Cutting/removing forest produce in a public forest without authority c/sec 64(1)(a) as read with sec 62 (2) and sec 68 (1) of the *forest conservation and management act* 2016. The particulars of the offence are that On the 24<sup>th</sup> January 2024 at 0400hrs at Lorenge public forest, within Uasin Gishu county, jointly unlawfully cut forest produce namely ten cedar posts valued at Ksh. 4,000, the property of Kenya forest service without a license or a permit or a management agreement issued by or entered into with Kenya forest service.
2. Count II: Being in possession of cutting tools without authority contrary to sec 64 (1) (k) as read with sec 68(1) (c) of the *forest conservation and management act* no. 34 law of Kenya. The particulars are that on the 24.1.2024, at 0400hrs in Lorenge Forest within Uasin Gishu County, jointly unlawfully possession of cutting tools namely two pangas and without permit or license from Kenya Forest Service.
3. The applicant in this case was convicted on his own plea of guilty and sentenced to a fine of kshs. 20,000 in default 6 months imprisonment. The fine was paid on 26<sup>th</sup> January 2024. This application has therefore been compromised under Section 383 of the CPC. It is therefore dismissed for want of merit.
4. It is ordered.

**SIGNED, DATED AND DELIVERED AT ELDORET THIS 4TH DAY OF JUNE 2025**

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**R. NYAKUNDI**  
**JUDGE**

