



REPUBLIC OF KENYA



**Akhusama v Republic (Revision Case E039 of 2024)
[2024] KEHC 2983 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2983 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E039 OF 2024
HM NYAGA, J
MARCH 14, 2024**

BETWEEN

VITALIS AKHUSAMA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This file has been brought up for revision in order to decongest the Nakuru GK Prison.
2. The Applicant was charged with the offence of Stealing Contrary to Section 268 as read with Section 275 of the [Penal Code](#).
3. The particulars are that; On the 20th day of September, 2023 at Egerton area in Njoro Sub-County within Nakuru County, stole 100 metres PPR green pipe, six D10 metal rods all valued at Kshs. 17,060/-, the property of Jonathan Mwangi Nduati.
4. He pleaded guilty and he was sentenced to pay a fine of Kshs. 20,000/= in default eighteen (18) months in prison.
5. The Applicant has served a substantial part of this sentence.
6. The Sentence Review Report by the Probation Officer, Nakuru County found the Applicant suitable for Community Service. It is recommended that he performs the same at Njoro Police Station.
7. I find this case fit for Revision and order that the sentence of the trial court be revised. The Applicant is now to serve the remainder thereof under Community Service at Njoro Police Station for Six (6) months.
8. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 14TH DAY OF MARCH, 2024.



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H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

