



REPUBLIC OF KENYA



**Githiomi v Republic (Revision Case E040 of 2024)
[2024] KEHC 2604 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2604 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E040 OF 2024
HM NYAGA, J
MARCH 14, 2024**

BETWEEN

SAMWEL GITHIOMI 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 286 as read with section 275 of the [Penal Code](#).
3. The particulars are that; On the 12th day of January 2024 at around 1400 hours at Dundori Sub Location in Githioro Locatin, Nakuru North Sub County Nakuru County Stole 5 sheep all valued at Kshs. 40,000/= property of Joseph Kamau Muigai.
4. He pleaded guilty and he was sentenced to serve eighteen (18) months imprisonment.
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 Tia Wira Chief's Camp.
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 Tia Wira Chief's Camp 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

