



REPUBLIC OF KENYA



**Kimani v Republic (Revision Case E046 of 2024)
[2024] KEHC 2762 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2762 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E046 OF 2024
HM NYAGA, J
MARCH 14, 2024**

BETWEEN

PETER NJOROGE KIMANI 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:

Being in possession of narcotic drugs contrary to Section 391) as read with Section 3(2) of the *Narcotic Drug and Psychotropic Substances Act* No 4 of 1994 Laws of Kenya.

The particulars are that;

On the 19th day of January 2024 at around 1915 hours at Nyamataro area in Nakuru North Sub County within Nakuru County you were found being in possession of 15 rolls of cannabis sativa (Bhang) in your right pocket of your trouser valued at Kshs 1500 hence contravening the said act.

3. He pleaded guilty and he was sentenced to pay a fine of Kshs 15,000/= in default six (6) months in jail.
4. The Applicant has served a substantial part of this sentence.
5. 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 Kenya Industrial Training Institute.



6. 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 Kenya Industrial Training Institute for Two (2) months.
7. 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

