



REPUBLIC OF KENYA



**Kipkoech v Republic (Revision Case E061 of 2024)
[2024] KEHC 3089 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3089 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E061 OF 2024
HM NYAGA, J
MARCH 14, 2024**

BETWEEN

JOSEPH KIPKOECH 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;

Removing Forest produce from a Public Forest without Authority Contrary to Section 64 (1) (a) as read with Section 64(2) and Section 68(1) *Forest Conservancy and Management Act* of 2016.
3. The particulars are that;

On the 15th day of January 2024 at 0000hours at Logman Public Forest in Njoro Sub County within Nakuru County unlawfully removed forest produce to with 26 piece of cider posts with a total destruction caused estimated at Kshs. 40,000/= the property of the Kenya Forest Service without a permit or management agreement issued by or entered into by the Kenya Forest Service.
4. He pleaded guilty and he was sentenced to pay a fine of Kshs. 20,000/= in default Three (3) 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 Nesuit 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 Nesuit Chief's Camp for Two (2) months.

8. The terms will be explained to him.

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

H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

