



REPUBLIC OF KENYA



**Wambui v Republic (Revision Case E043 of 2024)
[2024] KEHC 3084 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3084 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E043 OF 2024
HM NYAGA, J
MARCH 14, 2024**

BETWEEN

MOSES MWAURA WAMBUI 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 3(1) as read with Section 3(2) (a) of the [Narcotic drug and Psychotropic Act Substances Act](#) No. 4 of 1994 Laws of Kenya.
3. The particulars are that;

On the 19th day of January 2024 at around 1915 hours at Nyamaroto area in Nakuru North Sub County within Nakuru County you were found in possession of 12 rolls of cannabis sativa (bhang) in your left pocket of your trouser valued at Kshs. 1200/= hence contravening the said Act.
4. He pleaded guilty and he was sentenced to pay a fine of Kshs. 12,000/= in default six (6) months in jail.
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 Kirima 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 Kirima 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.

.....

H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

