



REPUBLIC OF KENYA



**Ng'ang'a v Republic (Revision Case E142 of 2024)
[2024] KEHC 4421 (KLR) (9 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4421 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E142 OF 2024**

**HM NYAGA, J
APRIL 9, 2024**

BETWEEN

JOHN NG'ANG'A 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:
Cutting and removing forest produce Contrary to Section 64(1) (a) as read with Section 64(2) of the *Forest Conservation and Management*.
The particulars are that;
On the 7th September 2023 at Tuwap Forest in Londiani Sub County within Kericho County unlawfully cut and removed forest produce namely cedar posts to wit three (30 estimated to be valued at Kshs. 16,392.09 and removed the said produce the property of Kenya Forest Service without authority or licence of permit or an agreement issued by or entered into with Kenya Forest Service.
3. He pleaded guilty and he was sentenced to pay a fine of Kshs. 50,000/= and in default one (1) year imprisonment.
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 Nyakinyua Primary School.



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 Nyakinyua Primary School for three (3) months.

7. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 9TH DAY OF APRIL, 2024.

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H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

