



**Njaramba v Republic (Criminal Revision 72 of 2024)
[2024] KEHC 3997 (KLR) (4 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3997 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION 72 OF 2024**

DR KAVEDZA, J

APRIL 4, 2024

BETWEEN

GEORGE MUNGAI NJARAMBA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have gone through the file and I note that the sentence imposed against the applicant was passed on 07/03/2022. The applicant is supposed to serve one (1) year imprisonment in default of paying a fine of Kshs. 1,000,000/-, and to further serve four (4) years' imprisonment for the offence of trafficking in narcotic drugs contrary to section 4(a) of the *Narcotic Drugs and Psychotropic Substances (control) Act* No. 4 of 1994. He has so far served two (2) years and one (1) month since the date of sentencing.
2. I further note that the applicant was released on surety bond on 22/03/2016 but was later arrested and remanded on 4/12/2017 after absconding court attendance. The applicant's bond terms were later reinstated, he was released on 3/7/2018 and was out until the matter was concluded. The applicant was therefore in custody for about 2 years and 4 months.
3. The record of proceedings shows that the applicant was a first offender and spent 2 years and 4 months in custody before his conviction. After his conviction, he has spent about 2 years and 1 month in prison. Cumulatively, the applicant has spent over 4 years and 5 months in custody. This, in my view, is sufficient sentence served by the applicant.
4. In the end, this application is allowed. I set aside the cumulative five (5) year custodial sentence imposed by the trial court and substitute it with an order that the applicant has served a sufficient sentence.
5. The applicant should forthwith be set at liberty unless otherwise lawfully held.

It is so ordered.



RULING DELIVERED THIS DAY 4TH DAY OF APRIL 2024.

D. KAVEDZA

JUDGE

