



REPUBLIC OF KENYA



KENYA LAW
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**Mokaya v Republic (Criminal Revision E070 of 2024)
[2024] KEHC 6549 (KLR) (13 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6549 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E070 OF 2024**

WA OKWANY, J

MAY 13, 2024

BETWEEN

DENNIS MOKAYA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Senior Principal
Magistrates' Court at Keroka, Criminal Case No. MCCR E075 of 2024
by Hon. C. Ombija, Senior Resident Magistrate on 25th January 2024)*

RULING

1. The Applicant was convicted on her own plea of guilty for the offence of being in possession of alcoholic drinks contrary to section 27 (1) (b) as read with section 27 (4) of the [Alcoholic Drinks Control Act](#) No. 4 of 2010. The trial court sentenced him to pay a fine of Kshs. 25,000/= or in default, to serve 6 months imprisonment. The Applicant has served 1 month of his sentence. The Sentence Review Report filed on 3rd April 2024 by the Probation Officer Mpaera Johnstone recommends a non-custodial sentence. I hereby direct that the Applicant serves a Community Service Order for the remainder of his sentence at Nyamakoroto Chief's Office under the supervision of the area chief Mr. Paul Ombae.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 13TH DAY OF MAY 2024.

W. A. OKWANY

JUDGE

