



**Akura v Republic (Criminal Revision E176 of 2024)  
[2024] KEHC 8917 (KLR) (23 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8917 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL REVISION E176 OF 2024**

**PN GICHOHI, J**

**JULY 23, 2024**

**BETWEEN**

**JOHANA MBAYA AKURA ..... 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 (Johana Mbaya Akura) was charged in Molo MCCR E2522 of 2023 with the offence of Making charcoal in a National Forest, without authority, contrary to Section 67[1][e] of [Forest Conservation and Management Act](#) No.34 of 2016.
3. The particulars are that on the 19<sup>th</sup> Day of October, 2023 at around 1500 hours Kobaitek Forest, within Nakuru County, while having a jembe and a panga, unlawfully cut two (2) indigenous trees and was in the process of making charcoal out of it, all valued at ksh.4,221/= the property of Kenya Forest Service without a licence or permit from Kenya Forest Service.
4. He pleaded guilty and was sentenced to pay a fine of Ksh.50,000/= in default six (6) months imprisonment.
5. The Sentence Review Report by the Probation officer has now confirmed that the Applicant has since served the sentence.
6. In the circumstances the application has been overtaken by events and file marked as closed.

**DATED, SIGNED AND DELIVERED AT NAKURU THIS 23<sup>TH</sup> DAY OF JULY, 2024.**

**PATRICIA GICHOHI**

**JUDGE**



In the presence of:

Mr. Kihara for Respondent

Probation officer

Ruto - Court Assistant

