



REPUBLIC OF KENYA



KENYA LAW
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**Kibet v Republic (Criminal Revision E307 of 2024)
[2024] KEHC 9447 (KLR) (23 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9447 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL REVISION E307 OF 2024**

**PN GICHOHI, J
JULY 23, 2024**

BETWEEN

BENARD KIBET 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 (Benard Kiprotich Sigilai) was charged in Molo MCCR E011 of 2024 with the offence of

Count I

Stealing contrary to Section 268 as read with 275 of the [Penal Code](#).

The particulars are that on the 28th Day of November, 2023 at Keringet area in Kuresoi South Sub County within Nakuru county stole seven (7) pieces of metal bars 1 1/4 , one (1) metal ladder and one (1) chicken all valued at Ksh.13,400/= property of Alice Bor.

Count II

Stealing contrary to Section 268 as read with 275 of the [Penal Code](#).

The particulars are that on the 30th Day of December, 2023 at Keringet area in Kuresoi South Sub County within Nakuru county stole twenty two (22) pieces of timber valued at Ksh.10,560/= the property of Stanley Sigilai.

Alternative Count

Handling stolen goods contrary to Section 322(1)(2) of the [Penal Code](#).



The particulars are that on the 30th Day of December, 2023 at Keringet area in Kuresoi South Sub County within Nakuru County, otherwise in the course of stealing dishonestly retained 2 (two) pieces of timber knowing or having reason to believe it to be stolen goods.

3. He pleaded guilty and was sentenced to pay fine of Ksh.20,000/= in default six (6) months imprisonment both counts to run concurrently.
4. The Sentence Review Report by the Probation officer has now confirmed that the Applicant has since served the sentence.
5. In the circumstances the application has been overtaken by events and file marked as closed.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 23TH DAY OF JULY, 2024.

PATRICIA GICHOHI

JUDGE

In the presence of:

Mr. Kihara for Respondent

Probation officer

Ruto - Court Assistant

