



REPUBLIC OF KENYA



**Kirungu v Republic (Criminal Revision E174 of 2024)
[2024] KEHC 8977 (KLR) (23 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8977 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL REVISION E174 OF 2024**

PN GICHOHI, J

JULY 23, 2024

BETWEEN

MOSES MWANGI KIRUNGU 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 (Moses Mwangi Kirungu) was charged in Molo MCCR E2747 of 2023 with the offence of Being in possession of alcoholic drinks that does not conform the requirement of the [Alcoholic Drinks Control Act](#) C/Section 27(1)(b) as read with Section 27(4) of the [Alcoholic Drinks Control Act](#) No.4 of 2010.
3. The particulars are that on the 19th Day of December, 2023 at around 1400hrs at Kiambereria area, in Molo Sub-County within Nakuru County, you were found in possession of 5 litres of chang'aa in unlicensed premises and the same was packed in 5 pieces of clear polythene bags and had no warning message in contravention of the said Act.
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 23TH DAY OF JULY, 2024.

PATRICIA GICHOHI



JUDGE

In the presence of:

Mr. Kihara for Respondent

Probation officer

Ruto - Court Assistant

