



REPUBLIC OF KENYA



**Achoke v Republic (Criminal Revision E074 of 2024)
[2024] KEHC 12475 (KLR) (15 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12475 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL REVISION E074 OF 2024**

**JM NANG'EA, J
OCTOBER 15, 2024**

BETWEEN

EVANS OMULWA ACHOKE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. This court is urged to revise the Applicant's sentence under the Judiciary's Prison Decongestion Programme. The applicant was on 25/1/2024 convicted of two (2) counts to wit; manufacturing Alcoholic Drinks without a licence and being in possession of Alcoholic Drinks Contrary to stated provisions of the *Alcoholic Drinks Control Act*. He was sentenced to a fine of Kshs. 50,000/= in respect of the first count 1 in default of which he would serve out a period of 1 year imprisonment. Regarding the second count, the Applicant was fined Kshs. 20,000/= or serve out 1 year in prison. He failed to pay the fines.
2. The Applicant is said to be remorseful and engaging in income generating activities in prison. The Probation/Community Service Officer recommending that he be released to perform community service for his remainder of the prison term of eight (8) months at Nyango Dispensary.
3. The court accepts the recommendation and allows the offender's application.
4. It is ordered that he be released from prison custody to perform community service at Nyango Dispensary for eight (8) months. The Probation/Community Service Officer be infomed accordingly.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 15TH DAY OF OCTOBER, 2024.

J. M. NANG'EA

JUDGE

