



REPUBLIC OF KENYA



**Ochieng v Republic (Criminal Revision E111 of 2021)  
[2023] KEHC 3255 (KLR) (13 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3255 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E111 OF 2021  
RE ABURILI, J  
APRIL 13, 2023**

**BETWEEN**

**KEVIN MBOYA OCHIENG ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This Criminal Revision matter was initiated on December 14, 2021. It arises from Nyando Senior Principal Magistrate's Court Criminal Case No E1019 of 2021 *Republic vs Kevin Mboya Ochieng*.
2. In the said matter, the accused now convict was sentenced to serve four (4) months imprisonment on September 17, 2021 for the offence of being in possession of alcoholic drinks that does not conform to the requirements of the Act contrary to Section 27 (1) as read with Section 27 (4) of the *Alcoholic Drinks Control Act* No 4 of 2010.
3. He was convicted on his own plea of guilty.
4. However, the revision file herein was not acted upon.
5. That being the case, the matter is overtaken by events as the convict has already served the four (4) months imprisonment term.
6. This file is accordingly marked as closed for archiving.
7. Order to be extracted.
8. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 13<sup>TH</sup> DAY OF APRIL, 2023**

**R. E. ABURILI**



**JUDGE**

