



**Koech v Republic (Revision Case E476 of 2022)
[2023] KEHC 21217 (KLR) (21 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 21217 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E476 OF 2022
SM MOHOCHI, J
JULY 21, 2023**

BETWEEN

TITUS KOECH APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant sought for review of sentence of fine of Kenya Shillings Fifty Thousand (50,000/=) upon default to serve a six (6) month imprisonment sentence for pleading guilty.
2. And being convicted for the offence of cultivating land in a public forest area without the authority contrary to Section 64(1)(a) and 64(2) of the *Forest Conservation and Management Act* 2016,
3. The Court called for and reviewed the entire proceedings in Nakuru CMS Court Criminal Case MCCR/E3898/22 with a view of satisfying itself as to the correctness, legality and propriety of the sentence.
4. The Court finds no fault with the sentence as imposed, the aggravating nature of the offence, the option of fine and the minimum imprisonment.
5. The Court finds no reason to disturb the same.
6. The Court equally notes the Applicant was sentenced on December 15, 2022 and whichever way the sentence is served by now.
7. The application is without merit and is accordingly dismissed.

SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 21ST JULY 2023.



MOHOCHI S.M
JUDGE

