



**Kimutai v Republic (Revision Case E642 of 2022)  
[2023] KEHC 19940 (KLR) (4 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 19940 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E642 OF 2022  
SM MOHOCHI, J  
JULY 4, 2023**

**BETWEEN**

**JULIUS KIMUTAI ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The application for revision has been placed before this court to satisfy itself as to the correctness, legality or probity of the sentence of two years imprisonment imposed on the applicant without the option of a fine.
2. The court has reviewed the entire proceedings in Molo C.M’s Court Criminal Case No.2060 of 2022 and find merit in the application for review.
3. The court allows the application reviews the sentence imposed on November 14, 2022; sets aside the sentence and in lieu thereof.
4. The applicant is hereby sentenced to a fine of Kshs.32,000/= and upon default of payment he shall serve two (2) years imprisonment from the October 28, 2022.

It is so ordered.

**RULING TO APPLY TO REV. 642 AND 643 OF 2022.**

**SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 4<sup>TH</sup> JULY 2023**

.....

**MOHOCHI S.M**

**JUDGE**



**In the presence of**  
**Court Assistant – Schola**  
**State Counsel – Ms. Mburu**

