



**Njoroge v Republic (Revision Case E508 of 2022)
[2023] KEHC 20977 (KLR) (24 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20977 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E508 OF 2022
SM MOHOCHI, J
JULY 24, 2023**

BETWEEN

SAMUEL MWANGI NJOROGE APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The application for sentence review has been placed before this Court to consider the sentence of Kshs 4,000 fine and upon default to serve an imprisonment sentence of 2 months and Count 2 a sentence of fine of Kshs 4,000 upon default to serve imprisonment for 2 months, the sentences to run concurrently.
2. The Applicant had pleaded guilty to selling an alcoholic drink that does not conform to prescribed standards contrary to Section 32 (1) (2)) as read together with Section 32 (8) of the *Alcoholic Drinks Control Act (2010)* and Selling the Alcoholic drink without a license contrary to Section 7 (1) (b) as read together with Section 62 of the *Alcoholic drinks control Act (2010)*.
3. This Court has called for and reviewed the entire proceedings in Nakuru Chief Magistrate's Court Criminal Case No E3838 of 2022 to satisfy itself as to the correctness, legality and propriety of the sentence.
4. The Court finds no fault in the sentence as imposed, noting that the sentencing Court was lenient under the circumstance.
5. The application is thus without merit and is accordingly dismissed.

It is so ordered.

SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 24TH JULY 2023

Mohochi S.M



JUDGE

In the presence of:-

Court Assistant – Schola

State Counsel – Ms. Mburu

