



REPUBLIC OF KENYA



KENYA LAW
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**Ouru v Republic (Criminal Revision E097 of 2023)
[2023] KEHC 20476 (KLR) (18 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20476 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E097 OF 2023**

WA OKWANY, J

JULY 18, 2023

BETWEEN

JEFFERSON OURU APPLICANT

AND

REPUBLIC RESPONDENT

(From the original Conviction and Sentence in the Senior Principal Magistrates' Court at Keroka, Criminal Case No. MCCR E271 of 2023 by Hon. B.M Kimtai, Senior Principal Magistrate on 5th May 2023.)

RULING

1. The applicant was convicted on his own plea of guilty for the offence of being in possession of alcoholic drinks contrary to section 27 (1) (b) as read with section 27 (4) of the *Alcoholic Drinks Control Act* No 4 of 2010. The trial court sentenced him to pay a fine of Kshs 10,000/= or in default, to serve 4 months imprisonment. The applicant has already served 3 weeks in custody. The Sentence Review Report filed on July 5, 2023 by the Probation Officer Daisy Lang'at recommends a non-custodial sentence. I hereby direct that the applicant serves a community service order at Gachuba Chief's Officer under the supervision of Mr Thomas Ondieki for the remaining part of the sentence being 2 months and 3 weeks.

Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 18TH DAY OF JULY 2023.

W.A. OKWANY

JUDGE

