



REPUBLIC OF KENYA



**Rotich v Republic (Revision Case E511 of 2022)
[2023] KEHC 19950 (KLR) (12 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 19950 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E511 OF 2022
SM MOHOCHI, J
JULY 12, 2023**

BETWEEN

EVANS ROTICH APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant was on the November 4, 2022 convicted on his own plea of guilty on 2 Counts; (1) Removing Forest Produce without authority contrary to Section 64 (1) (a) as read together with Section 64 (2) (i) of the *Kenya Forest Service Conservation and Management Act* No 34 of 2016.
2. The Applicant was upon conviction and after being allowed to mitigate, he was fined Kshs 15,000/= on each of the 2 Counts and upon default he was to be imprisoned for 90 days.
3. Being aggrieved by the sentence he seeks review under Section 362 and 364 of the Criminal Procedure.
4. The Court did call for and reviewed the Trial Court proceedings in Nakuru CM's Criminal Case No 3579 of 2022 and find no fault in the sentence.
5. This Court finds no reason to disturb the sentence as imposed.
6. The application for Criminal Revision is found to lack merit and is accordingly dismissed.

It is so ordered.

SIGNED, DATED AND DELIVERED IN OPEN COURT AT NAKURU ON THIS 12TH JULY 2023

Mohochi S.M

JUDGE

In the presence of:



Court Assistant – Schola
State Counsel – Ms. Mburu

