



REPUBLIC OF KENYA



**Njuguna v Republic (Revision Case E025 of 2023)  
[2023] KEHC 22248 (KLR) (19 September 2023) (Ruling)**

Neutral citation: [2023] KEHC 22248 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E025 OF 2023  
HM NYAGA, J  
SEPTEMBER 19, 2023**

**BETWEEN**

**JAMES NG'ANG'A NJUGUNA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This matter has been brought to me under the Prisons Decongestion Exercise being undertaken by this court.
2. The Applicant James Ng'ang'a Njuguna was convicted for the offence of Stealing contrary to Section 268 as read with Section 275 of the Penal Code and sentenced to serve 1 year imprisonment on February 16, 2023.
3. He has so far served about 6 months in prison.
4. In the Sentence Review Report filed on August 2, 2023 the Community Service Officer, Dorothy Bett recommends community service.
5. According to the said Report the convict was in form 3 at the time of his arrest. He intends to go back to school upon his release. He has maintained a good relationship with his family while in prison and they are ready to welcome and support him. He is attached to the livestock section and has received guidance and counselling. The Applicant is willing to serve a non- custodial sentence.
6. In light of the above and with the view to decongest the prison I hereby exercise judicial discretion and suspend the remainder of the prison sentence and order for the release of the convict James Ng'ang'a Njuguna from prison to perform community service at Kapsita Chief's Camp for the remainder of his sentence forthwith, unless otherwise lawfully held.
7. File closed.



**DATED, SIGNED & DELIVERED AT NAKURU THIS 19<sup>TH</sup> SEPTEMBER, 2023.**

**H. M. NYAGA**

**JUDGE**

