



**Republic v Mungai (Traffic Case Number E221 of 2025)
[2025] KEMC 7 (KLR) (6 February 2025) (Ruling)**

Neutral citation: [2025] KEMC 7 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
TRAFFIC CASE NUMBER E221 OF 2025
PA NDEGE, SPM
FEBRUARY 6, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

PAUL KAMAU MUNGAI ACCUSED

RULING

1. The accused person herein, Paul Kamau Mungai, has been convicted upon own plea of the offence of Driving a Motor Vehicle on a Public Road under the Influence of Alcohol Contrary to Section 44(1) of the *Traffic Act*, Cap 403 Laws of Kenya. He has admitted that on February 4, 2025 at about 06.03pm along Geoffrey Kamau Road, in Nakuru County, being the driver of motor vehicle Reg. No. KAA 005T make Isuzu Lorry, he drove the said motor vehicle while under the influence of alcohol 3.07 mg/l instead of 0.01 mg/l for commercial motor vehicles which exceeded prescribed alcoholic limit thereby exceeded by 3.06mg/l to such an extent to be incapable of having proper control of the said motor vehicle.
2. He is a first-time offender as no previous records were furnished by the prosecution. He has pleaded for forgiveness. I have looked at the relevant provisions herein. The accused person was driving a heavy commercial vehicle at the time while inebriated. I have taken note of the dangers and risks that he posed to himself and to other member of the public and I do hereby sentence him to a fine of Kshs. 30,000/= and in default to serve 8 months imprisonment. Further pursuant to the provisions of section 44(2) of the *Traffic Act*, I do hereby disqualify him from holding or obtaining a license for a period of 12 months from the date hereof.
3. 14 days Right of Appeal, explained

DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 06TH DAY OF FEBRUARY, 2025



ALOYCE-PETER-NDEGE
SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Court interpreter: Janet

Prosecution counsel: Macharia

Accused: Present

