



**Republic v Chumba (Traffic Case E827 of 2025)
[2025] KEMC 94 (KLR) (15 May 2025) (Sentence)**

Neutral citation: [2025] KEMC 94 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
TRAFFIC CASE E827 OF 2025
PA NDEGE, SPM
MAY 15, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

DENIS CHERUIYOT CHUMBA ACCUSED

SENTENCE

1. The accused person herein, Denis Cheruiyot Chumba, has been convicted upon own plea of guilty of the offence of operating a motor vehicle on a public road for hire or reward without the requisite license issued by the authority contrary to Section 26(1) as read with Section 26(7) of the *National Transport and Safety Authority Act*. He has admitted that on 9/05/2025 at about 1100hours along Nakuru-Nyahururu road at Kagoto area within Nakuru County, being the driver of a motor vehicle Reg No. KCY 292Z make Toyota Hiace matatu, he drove the said motor vehicle without a valid road service license issued by the National Transport and Safety Authority.
2. He is a first-time offender as no previous records were furnished by the prosecution. Additionally, he has shown remorse and willingness to comply with the requirements prescribed by law. Kemei J in *Khaemba v Republic (Criminal Revision 328 of 2024)*, upheld a fine of Kshs 20,000 imposed by the trial court for the offence of operating a school bus without road service license contrary to Section 26(1) as read with Section 26(7) of *National Transport and Safety Authority Act*. The Learned judge was careful to note that the applicant had pleaded guilty to the offence where he was convicted as such and that he was a first-time offender. Considering the above precedent and the principles of sentencing of proportionality and uniformity as enshrined in the Sentencing *Policy Guidelines of 2023*, I find that a fine of Kshs 20,000 in default to serve two months imprisonment is reasonable and as such mete out the same as the sentence herein.

14 days Right of Appeal explained



**DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS...15TH.... DAY
OF.....MAY.....,2025**

ALOYCE-PETER-NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Court interpreter- Janet

Prosecution counsel- Macharia

Defence counsel- Simiyu

Accused- Present

