



**Republic v Wafula (Criminal Case E014 of 2024)  
[2024] KEMC 144 (KLR) (23 January 2024) (Sentence)**

Neutral citation: [2024] KEMC 144 (KLR)

**REPUBLIC OF KENYA  
IN THE NAKURU LAW COURTS  
CRIMINAL CASE E014 OF 2024  
PA NDEGE, SPM  
JANUARY 23, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**BENARD WAFULA ..... ACCUSED**

**SENTENCE**

1. The accused person herein, Benard Wafula, has been convicted upon own plea of the offence of Leaving Articles Upon Public Passage Contrary to By-Law 18(1) of the Municipal Council of Nakuru (General Nuisance) By-Laws 2004 and punishable under section 24(1) of the same By-laws. He has admitted that on 17/01/2024 at about 11.00am at Main Stage within Nakuru County, he left pineapples in a wheelbarrow in a manner that caused obstruction to the members of the public.
2. He is a first-time offender as no previous records were furnished by the prosecutions. He has pleaded for forgiveness. I have looked at the relevant provisions herein and I do feel that the provisions of Community Service Act, could be applicable herein. I do therefore call for a CSO report on the suitability of the accused to undergo community service.

**DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 23<sup>RD</sup> DAY OF JANUARY, 2024**

**ALOYCE-PETER-NDEGE  
SENIOR PRINCIPAL MAGISTRATE**

In the presence of;  
Court interpreter: Janet  
Prosecution counsel: n/a  
Accused: Present

