

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KIBERA
CRIMINAL REVISION NO. E017 OF 2026

MERCY KAGWIRI.....

APPLICANT

VERSUS

REPUBLIC.....

RESPONDENT

RULING

1. The applicant was charged and convicted for the offence of Selling Alcohol Drinks Without License contrary to section 7 (1) (b) as read with Section 62 of the Alcoholics Drinks Control Act No.4 of 2010 Laws of Kenya. She was fined Kshs. 30,000 in default to serve 6 months imprisonment.
2. She filed the present application and an affidavit in support of her motion seeking grant of orders. The ground raised is that the alcoholic drinks/exhibits maybe destroyed or disposed of, rendering the intended revision nugatory.
3. I have considered the application, the affidavit in support and the applicable law. I therefore make the following orders;
 - (i) That all forfeited alcoholic drinks/exhibits be preserved and shall not be disposed of, destroyed, auctioned or otherwise dealt with.
 - (ii) That the officer in charge of the exhibits store and /or the Officer Commanding Station (OCS) and/ or the Investigating Officer be directed to ensure Compliance with the preservation order.

Orders accordingly.

**Ruling dated and delivered virtually this 10th Day of
March 2026**

**D. KAVEDZA
JUDGE**