



**Republic v Amusavi (Criminal Case 1186 of 2023)
[2025] KEMC 337 (KLR) (11 December 2025) (Sentence)**

Neutral citation: [2025] KEMC 337 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
CRIMINAL CASE 1186 OF 2023
PA NDEGE, SPM
DECEMBER 11, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

VOGAN AMADINI AMUSAVI ACCUSED

SENTENCE

1. The accused person herein, VOGAN AMADINI AMUSAVI, has been convicted upon trial of the offence of Trafficking Narcotic Drugs contrary to section 4(a) of the Narcotic Drugs and Psychotropic Substances Control Act. He has been found guilty of trafficking cannabis sativa (bhang) at Green site area in Nakuru North sub-County within Nakuru County. On 21/05/2023 at 4.00pm, he trafficked bhang with a street value of Kshs. 2,100/- while on board a motor cycle registration number KMBG 403 A Boxer 150 red in color with proceeds of Kshs. 3,100/-. The drugs were at the time not in its medicinal preparation form.
2. He is a first-time offender as no previous record was furnished by the prosecution. He has pleaded for forgiveness. I have looked at the charges herein and the relevant provisions, section 4 (a) of the Narcotic Drugs and Psychotropic Substance Control Act, which provide as follows: -
 4. Penalty for trafficking in narcotic drugs, etc.
Any person who trafficks in any narcotic drug or psychotropic substance or any substance represented or held out by him to be a narcotic drug or psychotropic substance shall be guilty of an offence and liable—
 - (a) in respect of any narcotic drug or psychotropic substance to a fine of one million shillings or three times the market value of the narcotic drug or psychotropic substance, whichever is the greater, and, in addition, to imprisonment for life;



3. My hands are thus tied to the fine sentence prescribed herein. The accused person fined Kshs. 1,000,000/-, in default, he shall serve 12 months imprisonment as provided for in section 28(2) of the Penal Code. In addition, the accused person shall serve 5 months imprisonment regardless of whether he pays the fine or not.
4. Meanwhile, the cannabis produced herein as PEXH. No. 1 shall be destroyed once the 14 days appeal period lapses, and if no appeal has been filed. Upon destruction, a certificate to that effect shall be put in this file.

14 days right of appeal explained.

DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 11TH DAY OF DECEMBER , 2025

ALOYCE-PETER-NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Court interpreter: Wakesho

Prosecution counsel: Konga

Accused: Present

