



**Republic v Mutai (Criminal Case E1330 of 2025)
[2025] KEMC 152 (KLR) (1 July 2025) (Sentence)**

Neutral citation: [2025] KEMC 152 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
CRIMINAL CASE E1330 OF 2025
PA NDEGE, SPM
JULY 1, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

BENARD KIPKIRUI MUTAI ACCUSED

SENTENCE

1. The accused person herein, Benard Kipkirui Mutai, has been convicted upon own plea of the offence of Cutting and Removing Forest Produce Contrary to section 64(1) of the [Forest Conservation and Management Act](#) No. 34/2016 as read with Section 64 (2) of the same Act. He has admitted that on 24/06/2025 at Sururu Forest in Njoro Sub-County within Nakuru County, he was found cutting and removing 2 indigenous trees Juniperus Precera (CEDAR) valued at Kshs. 109,550/88 without the authority of the Chief Conservatoire of the forest.
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 hereby fine the accused person herein Kshs. 100,000/= in default to serve 6 months imprisonment.
3. 14 days right of appeal explained.

DATED, SIGNED AND DELIVERED AT NAKURU IN OPEN COURT THIS 01ST \ DAY OF JULY, 2025

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

In the presence of;
Court interpreter: Janet



Prosecution counsel: Smith

Accused: Present

