



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Musyoka v Republic (Criminal Revision E012 of 2026)  
[2026] KEHC 5656 (KLR) (29 April 2026) (Ruling)**

Neutral citation: [2026] KEHC 5656 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VOI  
CRIMINAL REVISION E012 OF 2026  
AN ONGERI, J  
APRIL 29, 2026**

**BETWEEN**

**ALFRED MUSYOKA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Applicant was sentenced to 12 months imprisonment for the offence of mining without a licence Contrary to Section 202(1) of the *Mining Act*.
2. He has served a substantial period of time since December 2025.
3. The Probation Sentence Review Report recommends that he be placed on probation.
4. However, the remaining period of 3 months is not sufficient for probation supervision.
5. The Applicant is released under Section 35(1) of the CPC on condition that he does not repeat the offence.

**DATED, SIGNED AND DELIVERED THIS 29<sup>TH</sup> DAY OF APRIL 2026 IN OPEN COURT AT VOI HIGH COURT.**

**ASENATH ONGERI**

**JUDGE**

In the presence of:-

Court Assistant: Millicent/Eghwa

Prosecutor: Ms. Kanyuira

The Applicant present

