



REPUBLIC OF KENYA



KENYA LAW
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**Erasto v Republic (Criminal Revision E012 of 2025)
[2025] KEHC 2204 (KLR) (31 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 2204 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAMIRA
CRIMINAL REVISION E012 OF 2025
WA OKWANY, J
JANUARY 31, 2025**

BETWEEN

EDWIN BOGONGO ERASTO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original Conviction and Sentence in the Chief Magistrates'
Court at Nyamira, Criminal Case No. MCCR E674 of 2024
by Hon. B.O. Okong'o, Resident Magistrate on 30th July 2024.)*

RULING

1. The Applicant was convicted on his own plea of guilty for the offences of manufacturing alcoholic drinks without a licence contrary to Section 7 (1) (a) as read with Section 27 (1) & (4) of the [Alcoholic Drinks Control Act](#) No. 4 of 2010 in the first count and dealing with alcoholic drinks without a licence contrary to Section 7 (1) (a) as read with Section 34 (a) of the [Alcoholic Drinks Control Act](#) No. 4 of 2010 in the second count. The trial court sentenced him to pay a fine of Kshs. 200,000/= for the first count and Kshs. 50,000/= for the second count or to serve one (1) year imprisonment in default. The Applicant has served five (5) months of his sentence and is remaining with three (3) months after remission, to complete the sentence. The Sentence Review Report filed on 13th January 2025 by the Probation Officer Mr. Nelson Maroa recommends a non-custodial sentence. I hereby direct that the Applicant shall serve a Community Service Order at Ikobe Chief's Office under the supervision of the Probation Officer and the area Chief for the remainder of his sentence.
2. Orders accordingly.

DATED AND DELIVERED AT NYAMIRA ON THIS 31ST DAY OF JANUARY 2025.

W.A. OKWANY



JUDGE

