



REPUBLIC OF KENYA



**KENYA LAW**  
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**Ngetich v Republic (Criminal Revision E271 of 2024)  
[2025] KEHC 616 (KLR) (30 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 616 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL REVISION E271 OF 2024  
PN GICHOHI, J  
JANUARY 30, 2025**

**BETWEEN**

**BRIAN KIPCHIRCHIR NGETICH ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file has been brought up for Revision in order to decongest the Nakuru GK prison.
2. The Applicant (Brian Kipchirchir Ngetich) was charged in Molo MCCR E2499 of 2023 with the offence of;

**Count I**

3. Breaking into a building with intent to commit a felony contrary to Section 307 Penal Code.
4. The particulars are that on the diverse dates between 14<sup>th</sup> to 16<sup>th</sup> day of November, 2023 at Kapkondoo village in Londiani Sub – County within Kericho County, jointly with others still at large broke and entered a building namely store belonging to Gladys Tanui Cheruto with intent to still from therein.

**Count II**

5. Stealing contrary to Section 268 (2) (a) as read with Section 275 of the Penal Code.
6. The particulars are that on the diverse dates between 14<sup>th</sup> to 16<sup>th</sup> day of November, 2023 at Kapkondoo village in Londiani Sub – County within Kericho County, jointly with others still at large stole five bags unshelled dry maize valued at Ksh.16,000/= the property of Gladys Tanui Cheruto.
7. In the Alternative charge, handling stolen property contrary to Section 322(1)(2) of the Penal Code.



8. The particulars are that on the 16<sup>th</sup> day of November, 2023 at Kapkondoo village in Londiani Sub – County within Kericho County, otherwise than in the course of stealing dishonestly retained 21 kgs of shelled maize and 5 bags of unshelled maize knowing or having reason to believe to be stolen goods.
9. He was convicted on his own plea of guilty and was sentenced twelve (12) months imprisonment.
10. The Sentence Review Report by the Probation officer, Molo dated 16<sup>th</sup> December, 2024 has now confirmed that the Applicant has fully served his sentence.
11. In the circumstances the application has been overtaken by events and file marked as closed.

**DATED, SIGNED AND DELIVERED AT NAKURU THIS 30<sup>TH</sup> DAY OF JANUARY, 2025.**

**PATRICIA GICHOHI**

**JUDGE**

**In the presence of:**

Ms Emma Okok for Respondent

Ruto - Court Assistant

